

FEB 05 2016



Canada Border Services Agency
Agence des services frontaliers du Canada

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For information

**DAIRY FARMERS OF CANADA
THE DUTY DEFERRAL PROGRAM AND DIAFILTERED MILK**

For the Minister

PURPOSE

To provide you with an update on the two separate issues raised by the Dairy Farmers of Canada.

ISSUE

The Dairy Farmers of Canada have concerns on the following issues that potentially may circumvent Canada's supply management system and may negatively impact its farmers and processors:

- a) The diversion of supply managed agricultural commodities such as milk products into the domestic economy through the Duties Relief Program (DRP) and Drawback Programs (DP), two components of the Duty Deferral Program;
- b) There is a perceived discrepancy in the application of the term diafiltered milk, also known as liquid milk protein substances (MPS), by the Canada Border Services Agency (CBSA) for tariff classification purposes and by the Canadian Food Inspection Agency (CFIA) for its domestic cheese composition standards.

BACKGROUND

The Agency has been aware of concerns raised by the Dairy Farmers of Canada and has been actively engaged with industry stakeholders and other government departments to address them.

Duties Relief and Drawback Programs

The Agency's DRP and associated DP relieve duties on imported goods that are subsequently exported, subject to certain conditions. These programs were initially designed for the manufacturing industry, not for supply managed goods such as dairy and chicken products. The Agency's programs have much more lenient timelines and criteria than the similar Import for Re-Export Program (IREP) for supply managed goods administered by Global Affairs Canada (GAC), which has been in existence for several decades.

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Diafiltered Milk

Canada's supply management system limits the quantity of milk and cream that can be imported into Canada. However, under the *Customs Tariff* MPS are not classified as milk but are correctly classified as a concentrated form of protein obtained from milk. Although still subject to Canada's supply management system, the *Customs Tariff* allows MPS (both liquid and powder) manufactured in the United States to be imported duty-free.

MPS have traditionally been imported in a powdered form which cannot be used as a substitute for milk in the manufacture of cheese. However, liquid MPS, which are relatively new to the market, have been used in the manufacturing of cheese as a milk substitute, which can replace up to 50 percent of the dairy content. This is a concern for the Dairy Farmers of Canada as it displaces milk that was previously sourced domestically, and thus undermines Canada's supply management system.

STATUS

Duties Relief and Drawback Programs

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Diafiltered Milk

The CBSA has conducted a review of the tariff classification of liquid MPS products and is confident that the Agency is correctly applying the definition of MPS found in the *Customs Tariff*. It is the responsibility of the CFIA to enforce the use of MPS in the manufacturing of cheese, which the Agency interprets to be the primary concern of the Dairy Farmers of Canada.

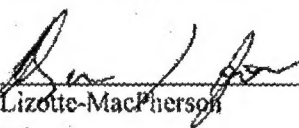
NEXT STEPS:

Duties Relief and Drawback Programs

Diafiltered Milk

Although the CBSA plays no role in the application of the domestic cheese compositional standards or the enforcement of these standards, which falls under the purview of the CFIA, the CBSA will support the CFIA in measures to address this issue, as appropriate.

The CBSA is convening late Friday afternoon with OGD's to further explore the options. Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.


Linda Lizotte-MacPherson
President

FEB - 5 2016

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada

JAN 19 2016



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For information

EVALUATION OF THE CRIMINAL INVESTIGATIONS PROGRAM

For the Minister

PURPOSE

To advise you that the attached evaluation of the Canada Border Services Agency (CBSA) Criminal Investigations Program (CIP) (see attachment 1) is scheduled for posting on the Agency's external website in January 2016. The publication of this report was delayed due to the federal election.

ISSUE

The purpose of the evaluation was to assess the relevance and performance of the CIP. Overall, the evaluation found that there is a continued need for the CIP and that it supports the mandate and priorities of the CBSA.

The evaluation also made four recommendations to improve the program, to which the CBSA responded by developing a management action plan and associated target timelines.

My predecessor approved the final report on the evaluation of the CIP on April 2, 2015, and it is now ready for posting.

BACKGROUND

The CBSA is responsible for providing integrated border services that support national security and public safety priorities and facilitate the free flow of persons and goods, including animals and plants, that meet all requirements under the program legislation. Under the CIP, the CBSA investigates and pursues the prosecution of persons who commit criminal offences in contravention of Canada's border-related legislation, including the *Customs Act* and the *Immigration and Refugee Protection Act*.

In fiscal year (FY) 2012-2013, the CBSA spent \$26.4 million to deliver the CIP. In the same FY, the program received 3,110 leads, opened 913 investigations, and concluded 547 cases.

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The evaluation found that CBSA headquarters provides guidance to regional criminal investigations divisions on how to assess incoming referrals. However, because the decision process is not tracked electronically, it is impossible to know which factors led or did not lead to an investigation. Further, current program statistics do not link referrals to outcomes and cases. Therefore, it is not known which factors led to the successful conclusion of a case.

The evaluation recommended that the CBSA develop a performance measurement framework that links key indicators for each case from the initial referral stage to the final outcome, including the criteria for the various decision points. It was also recommended that the CBSA implement regular monitoring of program performance against intended outcomes and determine if activities are aligned with program objectives, including national priorities.

The evaluation also found that the CIP relies heavily on partnerships with other government departments (OGDs) to provide evidence for case files. The CBSA was granted investigative body designation (IBD) status in 2010, but obtaining information from OGDs to support a criminal investigation does not always happen in a timely manner, and the program is sometimes compelled to obtain a court order (production order) to fulfil and/or expedite the process.

In light of these findings, the evaluation recommended that the CBSA analyze the challenges in obtaining evidence from OGDs using its IBD status and consult with internal and external stakeholders to resolve identified barriers. It also recommended that the CBSA implement actions to mitigate identified barriers and monitor progress in obtaining evidence from OGDs using the IBD status.

The evaluation found that the program is being delivered cost-effectively. Its budget was reduced from FY 2011-2012 to FY 2012-2013 and was delivered under constraints related to systems, equipment, and modern investigative tools. Despite these constraints, the program performed well on a key performance indicator related to the number of cases accepted for prosecution by the Public Prosecution Service of Canada at nearly 100%.

Finally, case work increasingly involves mobile technology, such as smart phones. Officers require specific expertise and training to conduct digital forensic investigations. In light of this, the evaluation recommended that the CBSA develop options to deliver the digital forensic investigations service and to optimize the alignment of existing resources to support evolving demands, as well as implement and monitor the selected options.

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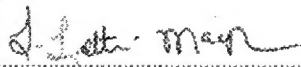
STATUS

The program reported that it has completed all four recommendations, and the Internal Audit and Program Evaluation Division has confirmed this.

The final evaluation report is now ready to be published, and media lines have been prepared (see attachment 2).

NEXT STEPS

The attached evaluation report will be posted, as per the Treasury Board guidelines, on the CBSA external website in January 2016.



JAN 19 2016

Linda Lizotte-MacPherson
President

ATTACHMENTS

1. Evaluation of the Criminal Investigations Program – Final report for publication
2. Evaluation of the Criminal Investigations Program – Media lines

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada



Canada Border
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For action

CUSTOMS MUTUAL ASSISTANCE AGREEMENTS: WAY-FORWARD

For the Minister

PURPOSE

To seek your approval on the Canada Border Services Agency's (CBSA) Customs Mutual Assistance Agreement (CMAA) related activities.

ISSUE

In order for CBSA to move forward with CMAA-related activities

BACKGROUND

To effectively combat customs fraud and enhance bilateral collaboration on customs matters with key international partners, CBSA has a need to share customs information with foreign customs administrations. In accordance with the *Customs Act*, CBSA can only share customs information with foreign governments when an international agreement or arrangement exists. They are an important tool to help prevent, investigate and combat cross-border customs offences.

CMAAs are treaty-level agreements governed by international public law. They are a standard and established mechanism, recommended by the World Customs Organization, for collaboration between customs administrations on customs matters. They are commonly used by like-minded countries, such as the United States, European Union, Australia, and New Zealand for information-exchange purposes.

CBSA has developed a CMAA policy, a performance management framework and standard operating procedures to guide the use of the agreements in the Agency.

CMAA negotiations and entry-into-force follow the standard treaty negotiation and approval process of the GoC (attachment 1), which can be lengthy

STATUS

Canada currently has ten CMAAs in force with France, United States, Germany, Republic of Korea, Mexico, European Community (including all 28 member countries), Netherlands, South Africa, Israel, and People's Republic of China.

CONSIDERATIONS

NEXT STEPS

We will seek your approval, as well as the Minister of Foreign Affairs', on any proposals to enter into new negotiations to ensure alignment with Canada's foreign policy priority and objectives.

We would be pleased to provide you with an in-person briefing on this issue at your convenience.

RECOMMENDATION

Linda Lizotte-MacPherson
President

Minister's Response

I approve ☐

I do not approve ☐

The Honourable Ralph Goodale, P.C., M.P.

Date:

ATTACHMENTS

1. N/A

c.c.: Mr. Malcolm Brown, Deputy Minister
Public Safety Canada



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CMAA Negotiation and Approval Process in Canada

Customs Mutual Assistance Agreement (CMAA) negotiations and entry-into-force follow the normal treaty approval process of the Government of Canada (GoC)

1. Negotiation

4. Tabling in Parliament

Following signature, the CMAA is tabled in Parliament. In accordance with the GoC's *Policy on Tabling of Treaties in Parliament*, all treaties must be tabled in the House of Commons by the Minister of Foreign Affairs for 21 sitting days before any steps can be taken to bring them into force. CBSA and GAC Treaty Law prepare an Explanatory Memorandum to accompany the signed CMAA when it is tabled. During the tabling period, Members of Parliament can initiate a debate. They can also request a vote on a motion regarding the Agreement in the House of Commons. The Government retains the full authority to decide whether or not to proceed with ratification following parliamentary review.

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6. Entry-into-Force – Exchange of Diplomatic Notes

GAC Treaty Law takes the necessary actions to bring the CMAA into force through an exchange of diplomatic notes. With these diplomatic notes, each Party to the CMAA formally notifies the other that it is bound by the agreement. The CMAA enters into force after the second of the two notes has been received.

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Customs Mutual Assistance Agreement (CMAA) Status At-A-Glance

(As of March 31, 2016)

CMAAs Currently in Force

European Community

- Signed on December 4, 1997 and entered into force on January 1, 1998

France

- Signed on January 9, 1979 and entered into force on May 1, 1979
- Amended on November 6, 1990 and the Amendment entered into force on January 1, 1991

Germany

- Signed on September 10, 1984 and entered into force on January 23, 1986

Israel

- Signed on December 11, 2012 and entered into force on July 24, 2013

Mexico

- Signed on March 16, 1990 and entered into force on September 21, 1990

Netherlands

- Signed on August 14, 2007 and entered into force on September 1, 2010
- Amended on April 28, 2009 and the Amendment entered into force on December 1, 2010

People's Republic of China

- Signed on November 8, 2014, and entered into force on May 11, 2015

Republic of Korea (South Korea)

- Signed on July 1, 1986 and entered into force on July 3, 1986

South Africa

- Signed on October 30, 2009 and entered into force on November 9, 2010

United States

- Signed on June 20, 1984 and entered into force on January 8, 1985
- Amended on November 30, 1984 and the Amendment entered into force on January 8, 1985

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Advice to Minister

BORDER INFRASTRUCTURE RENEWAL CUSTODIAL PORTS OF ENTRY

Update for the Minister

Issue

Public Services and Procurement Canada recently issued a Request for Proposal to acquire the services an engineering firm to obtain and validate the costing information to support the development of investment planning options to modernize the Agency's aging Custodial Ports of Entry (PoE). The Request for Proposal is attracting media attention.

Background

The Agency owns and operates 115 Custodial PoE across Canada.

Of these Custodial PoE, 75% are more than 25 years old, and 50% are more than 35 years old. CBSA is responsible for their entire life cycle. The aging, older facilities do not meet newer operational requirements.

While significant progress has been made over the last 12 years to renew the Agency's larger, priority PoE, the Agency's capital budget has been insufficient to address the capital renewal requirements of its smaller ports. Traditionally, major improvements and replacements have been funded under special initiatives.

Under current investment practices and levels, the CBSA can replace 1-3 smaller POEs annually. The number of smaller PoE that are aging and near or past their life cycle is approximately 71. Using the Agency's traditional approach and current funding, it will take an estimated 30 years to renew these PoE.

Given this modernization challenge, the Agency has proposed the use of a Public Private Partnership (P3) investment approach to replace the majority of its aging Custodial PoE within five years. To this end, \$440 million was set aside in the fiscal framework to renew up to 77 PoE.

Current Status

Before the funding can be accessed, a business case must be completed to verify whether a P3 investment approach provides best value for money for taxpayers. To facilitate completion of the required business case and associated options analysis, Public Services and Procurement Canada recently issued a Request for Proposal for bids to contract the services of an engineering firm (known as an advocate architect) to obtain and validate the costing information needed to make an informed decision on investment planning options, including consideration of a P3.

The 71 smaller PoE that need to be modernized are included in the RFP, with an option to add or delete facilities. These Ports represent a preliminary / anticipated list for potential inclusion in the analysis of options. They were included in the RFP because the private sector requires an indicative list of facilities considered in-scope to inform their bids. The Ports included met the criteria for consideration for renewal because they are at or are approaching the end of their normal life cycle. The normal life cycle for facilities such as a Port of Entry is between 25-30 years old.

The RFP has attracted media attention. Key Media Lines have been developed, as well as Questions and Answers (attached).

A Question Period note is also being developed to support you with the return of the House on January 25, 2016.

Next Steps

The Agency will respond to media enquiries.

The Agency will complete and provide you a QP Note.

The RFP closes February 23rd, 2016.

We will keep you apprised of any further developments and can arrange to brief you or your staff at your convenience if you would like a briefing.

President's Office time stamp / Timbre dateur du bureau de la présidente



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DU CANADA

CBSA/ASFC-16-01318

BUREAU DU PRÉSIDENT

ROUTING SLIP / BORDEREAU D'ACHEMINEMENT
 BUREAU DU PRÉSIDENT

ACTION REQUIRED/ MESURE REQUISE			
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date	Action	Information
President/Présidente Linda Lizotte-MacPherson	MAR 24 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan	MAR 24 2016	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vice-President/ Vice-présidente/ Caroline Xavier	(see attached)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A/Associate Vice-President/ Vice-président associé/p. i. Denis R. Vinette	(see attached)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A/Director General/ Directrice générale/p. i. Lisa Janes	-	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Executive Director / Directeur exécutif Raymond Bédard	(see attached)		
Subject/Objet : Analysis of demand for service at Aldergrove Action/Mesure : For action Please find attached, for your review, an overview of the demand for service along British Columbia's southern interior corridor during the off-peak overnight hours of midnight to 8:00am.			

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CBSA/ASFC-16-1111

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ACTION REQUIRED/ MESURE REQUISE			
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date	Action	Information
President/Présidente Linda Lizotte-MacPherson		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice-President/ Vice-présidente/ Caroline Xavier	CP MAR 21 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A/Associate Vice-President/ Vice-président associé/p. i. Denis R. Vinette	March 18/16	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A/Director General/ Directrice générale/p. i. Lisa Janes	-	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Executive Director / Directeur exécutif Raymond Bédard	R.B.		
Subject/Objet : Analysis of demand for service at Aldergrove Action/Mesure : For action Please find attached, for your review, an overview of the demand for service along British Columbia's southern interior corridor during the off-peak overnight hours of midnight to 8:00am.			

Canada Border Services Agency
Operations Branch, V.P.'s Office

MAR 21 2016
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Agence des services frontaliers du Canada
Direction générale des opérations, Bureau du V.P.

Canada

MAR 24 2016



Canada Border
Services Agency

Agence des services
frontaliers du Canada

REQUEST TO EXTEND THE HOURS OF OPERATION AT THE ALDERGROVE PORT OF ENTRY

For the Minister

PURPOSE

To provide you with an overview of overnight traffic patterns along British Columbia's (BC) southern interior corridor in light of recent requests to extend the hours of operation at the Aldergrove, BC, port of entry (POE).

ISSUE

Since the recent completion of the expansion at Aldergrove port of entry (POE), there has been an interest amongst stakeholders in expanding its hours of operation from 16 hours per day, 7 days per week to 24 hours per day, 7 days per week.

BACKGROUND

The Aldergrove POE is a medium-size port located in the Township of Langley, British Columbia (BC), a suburb of Vancouver located approximately 30 minutes from its city limits. The Aldergrove POE recently underwent a significant expansion and now offers full commercial services in addition to its pre-existing traveller services. Its hours of operation have remained seven days a week, from 8:00 am to midnight.

This facility is located 20 km west of the Pacific Highway POE and 19 km east of the Abbotsford-Huntingdon POE. Door-to-door travel time between Aldergrove and either of these locations ranges from 20 to 25 minutes. These two POEs offer full commercial and traveller services on a 24/7 basis.

The United States Customs Border Protection (US CBP) facility opposite to Aldergrove is Lynden. The community of Lynden, Washington, is located five kilometres south of this border crossing while Bellingham, Washington is located 25 kilometres away. The US CBP facility offers traveller and commercial service seven days a week from 8:00 am to midnight.

Canada

CONSIDERATIONS

The Canada Border Services Agency (CBSA) closely monitors the demand for its services on an ongoing basis across all regions. This includes services at crossings in the southern interior of BC. Traffic volumes within this corridor, both traveller and commercial, are minimal during the overnight hours (between Midnight and 8:00 AM). (Attachment 1)

At no time do POEs within this corridor operate at, or near, full capacity during overnight hours. An analysis has reconfirmed that, in most instances, no more than one primary inspection lane is required to process hourly traffic at the ports of Pacific Highway and Abbotsford-Huntingdon during this period. The appropriate level of operational capacity is in place to meet the demand for border services. There are currently no volume pressures or border wait times during these hours anywhere within this corridor. In the event that either temporary or sustained increases in volumes were to be detected during these off-peak hours, the Agency would first look at leveraging this existing operational capacity by opening additional lanes. This would represent the most immediate and cost-effective strategy.

Aldergrove is located between the interior's westernmost ports (Pacific Highway and Douglas) which serve as the primary travel conduits for traffic in and out of Vancouver, and its easternmost port (Huntingdon-Abbotsford) which serves as the primary conduit for traffic arriving from Alberta and transiting to the US Pacific seaboard. Therefore, its closure during the overnight hours does not sever a natural trade and travel route between Canada and the US beyond that of the small communities in the immediate vicinity of this crossing. Commercial and traveller clients within the area are aware of the Agency's hours of service across the southern interior and plan their routes accordingly.

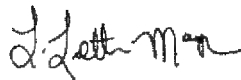
Hours of operation at Aldergrove are currently harmonized with those of the neighboring US CBP facility. At this time, there are no known plans to expand or interest in expanding Aldergrove's hours of service by either US CBP or local politicians. US CBP's reaction to such overtures is unknown at this time, although their operational capacity along this corridor continues to meet demand for service. There are no known volume or border wait time pressures.

If the decision were made to change Aldergrove to a 24/7 operational model, additional border services officers would be required. This would further expand the existing budgetary deficit resulting from the recent expansion of the POE's traveller and commercial operations. Aldergrove is currently operating with a deficit of approximately 22 officers, six superintendents, one chief and five support personnel (for a total of 34 employees). The CBSA has taken steps to realign and redistribute resources in an effort to partially mitigate the effects of the current shortfall in personnel. New funding would be required prior to any further expansion of CBSA services at this location to avoid further jeopardizing program integrity.

NEXT STEPS

The CBSA will continue to monitor the demand for its services along BC's southern interior corridor. Any necessary adjustments will continue to be made in real-time by CBSA management.

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.



MAR 24 2016

Linda Lizotte-MacPherson
President

ATTACHMENT

1. **British Columbia southern interior statistical overview**

Attachment 1 - British Columbia Southern Interior Statistical Overview

Figure A – Current Overnight Traffic Snapshot (Hourly Average)

		Traveller				Commercial		
		Abbotsford/ Huntingdon	Pacific Highway	Douglas	Aldergrove	Pacific Highway	Abbotsford/ Huntingdon	Aldergrove
High Season (May - October)	21:00-21:59	253	520	790	159	57		No data available yet
	22:00-22:59	192	410	592	113	43		
	23:00-23:59	124	245	353	67	43		
	Overnight Shift	00:00-00:59	99	214	301	58	Commercial services are offered via traveller lanes due to extremely low volumes	Port Not Open
		01:00-01:59	61	116	156	57		
		02:00-02:59	38	60	81	53		
		03:00-03:59	21	40	50	61		
		04:00-04:59	24	41	54	70		
		05:00-05:59	45	69	108	76		
		06:00-06:59	93	133	217	117		
		07:00-07:59	131	224	366*	117		
		Total	511	897	1334	609		
	08:00-08:59	140	214	344	78	79	25	No data available yet
	09:00-09:59	232	333	490	104	77	31	
	10:00-10:59	259	388	599	126	77	29	
Low Season (November - April)	21:00-21:59	212	505	753	155	53		Daily total approximately 100
	22:00-22:59	168	393	576	112	42		
	23:00-23:59	106	249	352	67	41		
	Overnight Shift	00:00-00:59	82	154	199	53	Commercial services are offered via traveller lanes due to extremely low volumes	Port Not Open
		01:00-01:59	50	89	113	50		
		02:00-02:59	34	47	60	46		
		03:00-03:59	17	30	40	56		
		04:00-04:59	20	26	44	68		
		05:00-05:59	33	51	89	67		
		06:00-06:59	74	111	171	113		
		07:00-07:59	104	190	318*	111		
		Total	413	699	1034	565		
	08:00-08:59	115	208	314	78	75	27	Daily total approximately 100
	09:00-09:59	205	325	444	103	76	30	
	10:00-10:59	249	392	576	127	76	31	

* Hourly spike corresponds to beginning of morning commuter rush-hour and the opening of the NEXUS lane. A significant travellers during utilize this lane during this period.

Figure B – Preliminary Overnight Traffic Prediction (Hourly Average)

		Traveller				Commercial		
		Abbotsford/ Huntingdon	Pacific Highway	Douglas	Aldergrove (10% Diversion)*	Pacific Highway	Abbotsford/ Huntingdon	Aldergrove (5% Diversion)**
High Season (May - October)	00:00-00:59	89	192	271	61	55	Commercial services are offered via traveller lanes due to extremely low volumes	3
	01:00-01:59	55	104	140	33	55		3
	02:00-02:59	34	54	73	18	50		3
	03:00-03:59	19	36	45	11	58		3
	04:00-04:59	21	37	49	12	67		4
	05:00-05:59	40	62	97	22	72		4
	06:00-06:59	84	120	196	44	111		6
	07:00-07:59	118	201	329	72	111		6
	Total	460	807	1200	274	578		30
Low Season (November - April)	00:00-00:59	74	139	179	44	48	Commercial services are offered via traveller lanes due to extremely low volumes	5
	01:00-01:59	45	80	102	25	45		5
	02:00-02:59	30	42	54	14	42		5
	03:00-03:59	15	27	36	9	51		6
	04:00-04:59	18	24	39	9	61		7
	05:00-05:59	29	46	80	17	61		7
	06:00-06:59	66	100	154	36	101		11
	07:00-07:59	94	171	286	61	100		11
	Total	371	629	931	215	508		56

Modelling assumes no new immediate growth within existing corridor traveller volumes as a result of the change in hours. Volumes at ports of entry with existing overnight operations have been adjusted to reflect the diversion to Aldergrove.

* A ten percent rate of diversion has been applied seeing as this represents the current share of overall traveller volumes within the British Columbia Southern Interior Corridor processed at Aldergrove.

** A five percent rate of diversion has been applied seeing as preliminary data indicates that Aldergrove is currently processing approximately 100 commercial vehicles per day since it was opened on November 23, 2015. This represents approximately five percent of total traffic within the British Columbia Southern Interior Corridor.

President's Office time stamp / Timbre dateur du bureau de la présidente



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CBSA/ASFC-16-01486

ROUTING SLIP / BORDEREAU D'ACHEMINEMENT

ACTION REQUIRED/ MESURE REQUISE			
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date	Action	Information
President/Présidente Linda Lizotte-MacPherson		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vice-President/ Vice-présidente Caroline Xavier	<i>CV March 31/16</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A/Associate Vice-President/ Vice-président associé p.i. Denis R. Vinette		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Subject/Objet : Invitation to Minister and members of his office to tour Canada Border Services Agency Facilities

Action/Mesure : For approval

Please find enclosed, for your approval and dissemination, a briefing note (tab A) inviting Minister Goodale and members of his office, to tour Canada Border Services Agency (CBSA) facilities.

Also enclosed, for your approval and dissemination, is an email (tab B) intended for the Deputy Heads within the Public Safety Portfolio as well as other Deputy Ministers, welcoming them to tour CBSA facilities.

Canada Border Services Agency
Operations Branch, V.P.'s Office

MAR 30 2016

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Agence des services frontaliers du Canada
Direction générale des opérations, Bureau du V.P.

Canada

2016-03-31	OB	A tour of CBSA facilities should be proposed to the Minister and members of his office; as well as to deputy heads within the Portfolio and other Deputy Ministers by March 31, 2016. [Office of Primary Interest (OPI): Operations Branch]	Item #1: President's Debrief	2015-12-03	ECD
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Canada Border
Services Agency

Agence des services
frontaliers du Canada

PROTECTED A

For information

INVITATION TO TOUR CANADA BORDER SERVICES AGENCY OPERATIONS

For the Minister

PURPOSE

To extend an invitation to you and members of your office to tour Canada Border Services Agency (CBSA) operations and facilities.

OBJECTIVE

To provide you and members of your office with the opportunity to witness first-hand the CBSA's front line operations performed across all border points and in all modes which include air, land, postal, marine and rail.

BACKGROUND

The CBSA is comprised of over 14,000 employees, which include approximately 6,500 uniformed Border Services Officers. The Agency operates at 1,200 points of service, including international airports, land ports of entry, marine container facilities, rail sites, and remote border crossings across Canada and internationally.

Given the Agency's vast operational landscape and mandate, I felt the time was opportune to officially invite you to tour, at your convenience, CBSA operations. Depending on your availability, proposed itineraries have been developed to accommodate a one day or shorter visit to a multiple day visit in various regions of the CBSA.

Options for a one-day visit or shorter in duration have been developed that could accommodate a busy schedule and/or an in transit wait time at the Airport. For example, should you be in transit at the Pearson International Airport and wish to meet employees, and tour the Airport operations for a few hours, the Agency can accommodate such visit and also with minimal advance notice. Furthermore, and as an additional example of a shorter visit, should you be in the area of the Southern Ontario Region, a tour of one of the Agency's busiest commercial operation, the Ambassador Bridge could easily be arranged (see attachment 1).

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In the multi-day itinerary such as the one proposed for the Quebec region (attachment 2), a broad overview of all modes of the Agency with various tours such as at the land border points of entry of Morses Line and St-Bernard-de-Lacolle, the Laval Detention Centre, the Port of Montreal and our postal facility would be showcased.

STATUS

The proposed itineraries are examples of the type of visit we could offer, are flexible, and can be reworked to accommodate your schedule.

NEXT STEPS

Should you and your office be interested in one or more of the proposed tours, or a tour of any other CBSA facility, we will work with your office to discuss availability and logistics of the visit.

Additional information such as scenario notes, biographies of management involved, and background documents on the facilities will be provided to your office prior to your visit.

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.

Linda Lizotte-MacPherson
President

ATTACHMENTS

- 1. One-day proposed draft itinerary – Southern Ontario Region**
- 2. Three-day proposed draft itinerary – Quebec Region**



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Proposed One-Day Ministerial Visit – Southern Ontario Region

The Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness, and
 Members of his Office

Windsor's Border Crossings

Directions: From Windsor Airport, turn right on County Road 42, right on Walker Road, take E.C. Row Expressway west, take the Huron Church exit, go north. Ensure to move to the left lane on the approach to the Ambassador Bridge, turn left into the parking lot (780 Huron Church Rd). The parking lot is just past the train tracks.

Hosts: Richard Comerford, Regional Director General, Dan Badour, Executive Director General, Joe McMahon, District Director Ambassador Bridge, Tamara Allard, Director Enforcement Intelligence Operations Division (EIOD), Paul Susko, District Director Windsor-Detroit Tunnel.

Photo Ops: Minister interacting with Officers at the Ambassador Bridge, Tunnel
 Minister interacting with Queen's Warehouse seized firearms, HCMV, course of fire

Other Considerations: CBSA banners, display cases

Date: TBD

<p>08:30 – 08:45 15 mins</p>	<p>Travel from hotel or Airport to Ambassador Bridge</p> <p>Accompanied by TBD, Chief of Staff, Security personnel</p> <p>NOTE: The driver (if required) for the day for the Minister will be: Rick Comerford, Regional Director General, Southern Ontario Region or Dan Badour, Executive Director General, Southern Ontario Region</p>
<p>08:45 – 09:00 15 mins</p>	<p>Meet with the CBSA Regional Management at the Ambassador Bridge</p> <ul style="list-style-type: none"> • Rick Comerford, Regional Director General, Southern Ontario Region • Dan Badour, Executive Director General, Southern Ontario Region • Tamara Allard, Director, EIOD • Joe McMahon, District Director, Ambassador Bridge Operations • Paul Susko, District Director, Windsor-Detroit Tunnel • Pamela Mintern, Assistant Director Communications <p>Accompanied by TBD</p> <p>Location: 780 Huron Church Road, Windsor, Ontario Ambassador Bridge boardroom</p>

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09:00 – 09:45 <i>45 mins</i>	Queen's Warehouse Demonstration <ul style="list-style-type: none"> • Discussion on the Region's Firearm Seizures <ul style="list-style-type: none"> ○ Provide statistics and process for identifying and seizing firearms • Promote the RDG's vision: Leave your firearms at home <ul style="list-style-type: none"> ○ Overview of Communication plan for informing foreign travelers on Canadian firearm laws and regulations.
09:45 – 10:00 <i>15 mins</i>	Health Break
10:00 – 11:30 <i>90 mins</i>	Tour and meet with CBSA staff at Ambassador Bridge Traveller and Commercial Onsite. <ul style="list-style-type: none"> • Attend Primary Inspection Line (PIL) (Traveller – NEXUS, Commercial truck lane) • Provide Operational Overview <p>Accompanied by Rick Comerford, Joe McMahon and TBD</p> <p>Location: 780 Huron Church Road, Windsor, Ontario</p>
11:30 – 12:30 <i>60 mins</i>	Course of Fire <ul style="list-style-type: none"> • Watch and participate in handgun firing <p>Accompanied by Rick Comerford, Joe McMahon and TBD</p> <p>OR</p> <p>Joint Force Operation discussion – led by Tamara Allard, Director EIOD <i>(If the Minister has already participated in a firearms demo (Rigaud) we can proceed with the JFO discussion and avoid duplication).</i></p>
12:30 – 13:30 <i>60 mins</i>	Working Lunch with the CBSA Regional Management (Modest catered Lunch TBD) <ul style="list-style-type: none"> • Rick Comerford, Regional Director General, Southern Ontario Region • Dan Badour, Executive Director General • Joe McMahon, District Director Ambassador Bridge • Tamara Allard, District Director EIOD • Paul Susko, District Director, Windsor-Detroit Tunnel • Pamela Mintern, Assistant Director Communications • Meet with Officers who participated in the Syrian Refugee Resettlement Initiative. <p>Accompanied by TBD</p> <p>Location: 780 Huron Church Road, Windsor, Ontario <i>Ambassador Bridge Boardroom</i></p>

13:30 – 14:15 45 mins	Tour the Gordie Howe International Bridge (GHIB) site <ul style="list-style-type: none"> • Questions & Answers related to CBSA SOR's involvement in GHIB project Accompanied by Rick Comerford, Dan Badour, and TBD <u>Location:</u> Windsor, Ontario
14:15 – 14:30 15 mins	Travel to Ambassador Bridge Offsite Accompanied by Rick Comerford, Dan Badour and TBD <u>Location:</u> 4285 Industrial Drive, Windsor, Ontario
14:30 – 15:15 45 mins	Meet and tour with CBSA staff at Commercial Offsite <ul style="list-style-type: none"> • Offsite Commercial Facility • Demonstration of HCVM Accompanied by Rick Comerford, Dan Badour, Joe McMahon and TBD
15:15 – 15:30 15 mins	Health Break
15:30 – 15:50 20 mins	Travel to Windsor-Detroit Tunnel Accompanied by Rick Comerford, Dan Badour and TBD <u>Location:</u> 35 Park Street East, Windsor, Ontario
15:50 – 16:50 60 mins	Meet and tour with CBSA staff at Tunnel <ul style="list-style-type: none"> • Tour of the Tunnel Traveller and Commercial Facility • Provide Operational Overview Accompanied by Rick Comerford, Dan Badour, Paul Susko, and TBD
16:50 – 17:10 20 mins	Travel to Windsor International Airport Flight information:



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Proposed Three-Day Ministerial Visit – Quebec Region

The Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness, and
Members of his Office

XXXX, 2016	CBSA Site Visits – Quebec Regional Office, 400, place d'Youville, Montreal Morses Line Point of Entry St-Bernard-de-Lacolle Point of Entry	
8:30AM-10:30AM	Meeting with the Quebec Region's Directorate Committee <ul style="list-style-type: none">• Presentation of the region and brief overview of operations• Presentation by the Trade Services Division: The economic impacts that we have on industry	
	Address: 400, place d'Youville Montreal (QC) H2Y 2C4 Contact information: Benoît Chiquette 438-998-0786	Participants – To be determined <ul style="list-style-type: none">• Mr. Ralph Goodale, Minister of Public Safety• Mr. Benoît Chiquette, Regional Director General, Quebec Region, CBSA• Mr. Pierre Provost, Executive Director, Quebec Region, CBSA• Ms. Rachel Auclair, Director, Corporate and Program Services Division, Quebec Region, CBSA• Ms. Annie Beauséjour, Director, Enforcement and Intelligence Operations Division, Quebec Region, CBSA• Mr. Daniel Bernard, Director, East Border District, Quebec Region, CBSA• Ms. Josée Deschamps, Director, Trade Services Division, Quebec Region, CBSA• Ms. Lily-Claude Fortin, Assistant Director, Program Services Division, Quebec Region, CBSA• Mr. Éric Lapierre, Director, St. Lawrence District, Quebec Region, CBSA• Ms. Chantal Laurin, Director, Montérégie Border District, Quebec Region, CBSA• Mr. Patrick Lefort, Director, Airports District, Quebec Region, CBSA• Mr. Stéphane Malépart, Assistant Director, Communications Division, Quebec Region, CBSA• Mr. Jean-Philippe Rossi, Assistant Director, Human Resources Division, Quebec Region, CBSA
10:30AM-11:45AM	Travelling towards Morses Line	
11:45AM-12:45PM	** Mr. Michel Martineau will meet the visitors at the entrance of the building. Site visit and operational tour of Morses Line (Parking available) <ul style="list-style-type: none">• Demonstration of remote traveller processing technology	
	Address: 10, chemin Dutch Route 235 St-Armand (QC) J0J 1T0	Participants – To be determined <ul style="list-style-type: none">• Mr. Ralph Goodale, Minister of Public Safety• Mr. Benoît Chiquette, Regional Director General, Quebec Region, CBSA• Ms. Chantal Laurin, Director, Montérégie Border District, Quebec

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		Region, CBSA <ul style="list-style-type: none"> Mr. Michel Martineau, Chief of Operations, Montérégie Border District, Quebec Region, CBSA
12:45PM-1:00PM	Travelling towards XXXX restaurant	
1:00PM-2:00PM	Lunch at XXXX restaurant (Parking available)	
	Address: To be determined	Participants – To be determined <ul style="list-style-type: none"> Mr. Ralph Goodale, Minister of Public Safety Mr. Benoît Chiquette, Regional Director General, Quebec Region, CBSA
2:00PM-2:45PM	Travelling from XXXX restaurant to St-Bernard-de-Lacolle border crossing	
2:45PM-5:45PM	Site visit of St-Bernard-de-Lacolle border crossing (Parking available) <ul style="list-style-type: none"> Demonstration of the traveller and commercial continuum 	
	Address: 501, Autoroute 15 St-Bernard-de-Lacolle (QC) J0J 1V0	Participants – To be determined <ul style="list-style-type: none"> Mr. Ralph Goodale, Minister of Public Safety Mr. Benoît Chiquette, Regional Director General, Quebec Region, CBSA Ms. Chantal Laurin, Director, Montérégie Border District, Quebec Region, CBSA Ms. Julie Thibodeau, Chief of Operations, Montérégie Border District, Quebec Region, CBSA
5:45PM-6:30PM	Travelling from St-Bernard-de-Lacolle border crossing to Montreal End of day 1	

XXXX, 2016	CBSA Site Visits – Marine and Rail Services Immigration Holding Center	
8:30AM-11:30AM	** Mr. Éric Lapierre will meet the visitors at the entrance of the building. Site visit of the Marine and Rail Services – CBSA facilities (Parking available) <ul style="list-style-type: none"> Tour of the Marine and Rail Services (Container Examination Center) Brief overview of operations Info/discussion on BSO's role when conducting examinations at seaport Systems and technology used/available at seaport 	
	Address: 7100, Tellier Montreal (QC) H1N 3T7	Participants – To be determined <ul style="list-style-type: none"> Mr. Ralph Goodale, Minister of Public Safety Mr. Benoît Chiquette, Regional Director General, Quebec Region, CBSA Mr. Éric Lapierre, Director, St. Lawrence District Mr. Erik Paradis, Chief of Operations, St. Lawrence District
11:30AM-12:00PM	Travelling from Marine and Rail Services Division to lunch	
12:00PM-1:00PM	Lunch at XXXX restaurant	

	Address: To be determined	Participants – To be determined <ul style="list-style-type: none"> • Mr. Ralph Goodale, Minister of Public Safety • Mr. Benoît Chiquette, Regional Director General, Quebec Region, CBSA
1:00PM-1:15PM	Travelling from XXX restaurant to Immigration Holding Center	
1:15PM-4:15PM	** Ms. Annie Beauséjour will meet the visitors at the entrance of the building. Site visit of the Immigration Holding Center (Parking available) <ul style="list-style-type: none"> • Visit of the IHC and its various sectors (women, men, families, medical) 	
	Address: 200, Montée St-François Laval (QC) H7C 1S5	Participants – To be determined <ul style="list-style-type: none"> • Mr. Ralph Goodale, Minister of Public Safety • Mr. Benoît Chiquette, Regional Director General, Quebec Region, CBSA • Ms. Annie Beauséjour, Director, Enforcement and Intelligence Operations Division, Quebec Region, CBSA • Ms. Christine Groleau, Assistant Director, Enforcement and Intelligence Operations Division, Quebec Region, CBSA
4:15PM-5:00PM	Travelling from Immigration Holding Center to Montreal End of day 2	
XXXX, 2016	CBSA Site Visits – Léo Blanchette Mail Processing Center Pierre-Elliott- Trudeau Int. Airport, Commercial and Traveller facilities	
8:30AM-11:30AM	** Mr. Eric Lapierre will meet the visitors at the entrance of the building. Site visit of the Léo Blanchette Mail Processing Center (Parking available) <ul style="list-style-type: none"> • An overview of enforcement in the postal mode 	
	Address: 555, McArthur Street PO Box 1454 Montreal (QC) H4T 1T4	Participants – To be determined <ul style="list-style-type: none"> • Mr. Ralph Goodale, Minister of Public Safety • Mr. Benoît Chiquette, Regional Director General, Quebec Region, CBSA • Mr. Éric Lapierre, Director, St. Lawrence District, Quebec Region, CBSA • Ms. France Roireau, Chief of Operations, St. Lawrence District, Quebec Region, CBSA
11:30AM-11:45AM	Travelling from Mail Processing Center to lunch	
11:45AM-12:45PM	Lunch at XXXX restaurant	
	Address: To be determined	Participants – To be determined <ul style="list-style-type: none"> • Mr. Ralph Goodale, Minister of Public Safety • Mr. Benoît Chiquette, Regional Director General, Quebec Region, CBSA
12:45PM-1:15PM	Travelling from lunch to Pierre-Elliott-Trudeau (PET) Int. Airport Commercial Sector	

1:15PM-2:15PM	<p>** Mr. Patrick Lefort will meet the visitors at the entrance of the building.</p> <p>Site visit and operational tour of PET Int. Airport commercial facilities (Parking available)</p> <ul style="list-style-type: none"> • Site visit and discussion regarding air cargo operations • Info/discussion on BSO's role when conducting examinations at commercial facility 	
	<p>Address: 2200, Reverchon, suite 296 Dorval (QC) H9P 2S7</p>	<p>Participants – To be determined</p> <ul style="list-style-type: none"> • Mr. Ralph Goodale, Minister of Public Safety • Mr. Benoît Chiquette, Regional Director General, Quebec Region, CBSA • Mr. Patrick Lefort, Director, Airports District, Quebec Region, CBSA • Ms. Marilyne Paradis, Chief of Operations, Airports District, Quebec Region, CBSA
2:15PM-2:30PM	Travelling from PET Int. Airport Commercial Sector to PET Int. Airport Travellers Sector	
2:30PM-4:00PM	<p>Site visit of PET Int. Airport travellers' facilities (Parking available)</p> <ul style="list-style-type: none"> • Site visit and discussion regarding travellers' operations • Info/discussion on BSO's role when conducting examinations of travellers (Secondary of Immigration and Customs) • Demonstration of a traveller's arrival • Presentation of ABC and Nexus kiosks • Visit of search and detention rooms 	
	<p>Address: 975, Roméo Vachon blvd Nord Dorval (QC) H4Y 1H1</p>	<p>Participants – To be determined</p> <ul style="list-style-type: none"> • Mr. Ralph Goodale, Minister of Public Safety • Mr. Benoît Chiquette, Regional Director General, Quebec Region, CBSA • Mr. Patrick Lefort, Director, Airports District, Quebec Region, CBSA • Mr. Benoît Charron, Chief of Operations, Airports District, Quebec Region, CBSA
4:00PM	End of day 3	

To: Deputy Heads within the Public Safety Portfolio; Deputy Ministers

Subject: Invitation to tour CBSA Operations

Dear Colleagues,

I recently extended an invitation to the Minister of Public Safety and Emergency Preparedness to tour some of our key Canada Border Services Agency (CBSA) facilities and operations across the country.

I would also like to invite you in touring CBSA facilities and provide you with the opportunity to witness first-hand the Agency's front line operations performed across all border points and in all modes which include air, land, postal, marine and rail.

As the second largest federal law enforcement organization in the country, the CBSA provides integrated border services that support national security and public safety priorities and facilitate the free flow of people and goods, including animals and plants. The CBSA is comprised of over 14,000 employees, which include approximately 6,500 uniformed Border Services Officers. The Agency operates at 1,200 points of service, including international airports, land ports of entry, marine container facilities, rail sites, and remote border crossings across Canada and internationally.

Given the Agency's vast operational landscape, I would invite you to consider a tour of CBSA operations, at your convenience.

Options for a one-day visit or shorter in duration can be developed that could accommodate a busy schedule and/or an in transit wait time at the airport. For example, should you be in transit at the MacDonald-Cartier International Airport and wish to tour the CBSA Airport operations for a few hours, the Agency can accommodate such visit (see attachment 1). Furthermore, as an additional example of a shorter visit, and in close proximity to the National Capital Region, a tour of the newly renovated Prescott border crossing facility, could easily be arranged (see attachment 2).

Additionally, should you be travelling or attending a regional visit, in proximity to CBSA facilities, it would be our pleasure to organize a tour of the Agency's operations.

Should you be interested in attending a tour, please work with my office to discuss availability and logistics of the visit.

We look forward with much anticipation to showcase our vast national footprint and demonstrate who we are and what we do.

Yours sincerely,

Linda Lizotte-MacPherson



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Proposed Itinerary

Tour of the Ottawa Cargo Services (OCS) and the MacDonald-Cartier International Airport (MCIA)

	CBSA Site visit – Ottawa Cargo Services (OCS)	
8:30AM	Departure for Ottawa Cargo Services	
8:30AM-9:00AM	Travel	
09:00AM-11:30AM	** Phil Whitehorne, Chief of Operations will meet the visitors at the entrance of the building. Site visit and operational tour of Ottawa Cargo Services facilities <ul style="list-style-type: none">• Brief overview of Ottawa Cargo Services operations and Nunavut• Tour of Fed Ex facilities including K-9 demonstration• Systems /technology available to perform examinations at various locations• Info/discussion on BSOs role when conducting examinations on inbound /outbound shipments• Discussion on the clearance procedures for travelers, goods and conveyances in the Arctic	
	Address: 140 Thad Johnson Rd. Ottawa, ON Contact information: Philip Whitehorne 613-991-6900	Participants <ul style="list-style-type: none">• To be determined
11:30AM	End of visit	
11:30AM-13:00	Lunch and travel to MacDonald Cartier International Airport (MCIA)	
11:30AM-13:00	CBSA Site visit – MacDonald-Cartier International Airport (MCIA)	
13:00-15:00	** Julie Cl��roux, Chief of Operations will meet the visitors at the entrance of the building. Site visit and operational tour of MCIA International Airport facilities <ul style="list-style-type: none">• Brief overview of operations• Site visit and discussion regarding Primary Inspection Line, Point, Secondary Immigration/Customs, Interview/Search Rooms, Detention Cells/Loo• Info/discussion on BSOs role when conducting examinations• Site visit of Nexus Enrollment Centre• Discussion on VIP clearances on site & at Canada Reception Centre• Systems and technology used/available at port of entry	

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	Address: 1000 Airport Parkway Pvt. Ottawa, ON Contact information: Julie Clérout 613-998-4853	Participants <ul style="list-style-type: none"> To be determined
15:00	End of visit	
15:00-16:00	Travel back to office	



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Proposed Itinerary Tour of the Prescott Port of Entry (POE), Northern Ontario Region

CBSA Site visits – Prescott POE		
8:00AM	Departure for Prescott POE	
8:00AM-9:30AM	Travel	
9:30AM-11:00AM	<p>** Leanne Sullivan, Chief of Operations will meet the visitors at the entrance of the building.</p> <p>Site visit and operational tour of Prescott Port of Entry</p> <ul style="list-style-type: none"> • Tour of the Traffic and Commercial facilities • Brief overview of operations • Systems and technology used/available 	
	<p>Address : Property # 1032 Highway 16 & Highway 2 Prescott ON K0E 1T0</p> <p>Contact information: Leanne Sullivan 613-925-4090</p>	<p>Participants</p> <ul style="list-style-type: none"> • To be determined
11:00AM	End of visit	
11:00AM-12:30PM	Travel back to Ottawa	

President's Office time stamp / Timbre et dateur du bureau de la présidente

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ROUTING SLIP/BORDEREAU D'ACHEMINEMENT

ACTION REQUIRED/ MESURE REQUISE	
Name and Telephone Number/ Nom et numéro de téléphone	Initials and date/ Initiales et date
President/Présidente Linda Lizotte-MacPherson	247 APR 18 2016
Executive Vice-President/ Première vice-présidente Nada Semaan	
Vice-President/ Vice-président Martin Bolduc	
Associate Vice-President/ Vice-président délégué Peter Hill	1348/14
Director General/ Directrice générale Megan Imrie	MI
Acting Executive Director/ Directeur exécutif p.i. Alec Attfield	
Subject/Objet : Status update on Cargo Pre-Clearance Action/Mesure : For Information / Pour information BF/AR : 2016-04-13 The purpose of this briefing note is to obtain agreement from the Minister for the CBSA to initiate discussions with US Customs and Border Protection for a preclearance or pre-inspection cargo pilot :]	

CBSA VP/AVP - Programs Branch
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ASFC VP/VPD - Direction générale des Programmes

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For action

CARGO PRECLEARANCE PILOT

For the Minister

PURPOSE

To seek your approval for the Canada Border Services Agency (CBSA) to initiate discussions with United States (US) Customs and Border Protection (CBP) for a preclearance or pre-inspection cargo pilot

ISSUE

On March 10, 2016, the Government of Canada and the Government of the US signed a Joint Statement of Intent Regarding Preclearance, which included a commitment to explore the terms and conditions necessary to pursue cargo pre-inspection and/or cargo preclearance pilot sites. It is necessary for the CBSA to work with US CBP to lay the groundwork for a pilot and to identify other opportunities.

BACKGROUND

Preclearance is the procedure by which the inspecting party performs a search or examination in the territory of the host party. The purpose of this process is to ensure that the entry of goods and admission of persons into the territory of the inspecting party conform to the inspecting party's laws and regulations for entry and admission. Pre-inspection differs from preclearance in that a partial preclearance is performed by the inspecting party in the host country, which is then subject to a secondary examination in the territory of the inspecting party.

The preclearance of air travellers and their goods by US CBP in Canada has been in place since 1952. On March 16, 2015, Canada and the US signed an Agreement on Land, Rail, Marine, and Air Transport Preclearance. Each country has since been working on the necessary legislation to bring it into force. For the US, this meant introducing provisions in the *Promoting Travel, Commerce, and National Security Act of 2016* (S. 2612/H.R. 4657) on March 1, 2016. The Government of Canada intends to introduce the necessary legislation in spring 2016.

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Cargo preclearance is a relatively new concept. As part of the Beyond the Border Action Plan, US CBP participated in a truck cargo pre-inspection pilot at the Pacific Highway and Peace Bridge border crossings, which demonstrated the feasibility of cargo preclearance.

STATUS

Preliminary analysis by the CBSA shows that there is a need to enhance the screening and examination of cargo coming into Canada via rail.

whereas US CBP has made significant investments to this end.

Based on the analysis performed by the CBSA thus far, the border points provide the highest probability of success for a pre-inspection cargo pilot.

Any item requiring further examination would be examined in Canada. A memorandum of understanding outlining the roles and responsibilities for this pilot would need to be agreed to by both the CBSA and US CBP.

These explorations will be informed by the senior-level Preclearance Consultative Group and the interdepartmental Cargo Pre-inspection Working Group with Transport Canada and the Canadian Food Inspection Agency.

To ensure reciprocity, the CBSA will also explore opportunities for the US to work in Canada. For example, given previous work with US CBP on in-transit shipments in the context of Beyond the Border,

which would be a benefit from a trade-facilitation perspective.

NEXT STEPS


With your approval, the CBSA will begin discussing options with US CBP for an early cargo pilot leveraging existing infrastructure in the US at the first Preclearance Consultative Group meeting scheduled for May 10, 2016.

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RECOMMENDATION

It is recommended that the CBSA begin discussing the terms and conditions necessary for a cargo preclearance pilot and pilot locations with US CBP.

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.

 APR 18 2016

Linda Lizotte-MacPherson
President

Minister's response

I approve ☐

I do not approve ☐

The Honourable Ralph Goodale, P.C., M.P.

Date

c.c.: Mr. Malcolm Brown, Deputy Minister
Public Safety Canada



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CBSA/ASFC-16-01828

ROUTING SLIP/BORDEREAU D'ACHEMINEMENT

		ACTION REQUIRED/ MESURE REQUISE	
Name and Telephone Number/ Nom et numéro de téléphone	Initials and date/ Initiales et date	Action	Information
President/Présidente Linda Lizotte-MacPherson	7 ✓ MAY 04 2016	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vice-President/ Vice-présidente Caroline Weber		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vice-President/ Vice-président Martin Bolduc		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Associate Vice-President/ Vice-président délégué Peter Hill	PLS 29 4.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Director General/ Directrice générale Megan Imrie	MI		
Acting Executive Director/ Directeur exécutif p.i. Alec Attfield			
Subject/Objet : Mutual Recognition Arrangement (MRA) between the CBSA and Mexico's Tax Administration Service (SAT) Action/Mesure : For information/ Pour information BF/AR : <p>To inform the Minister that the MRA between the CBSA and SAT regarding Authorized Economic Operator programs will be signed on May 11, 2016 in Mexico.</p> <p>Consultations with Communications and Global Affairs Canada are complete.</p> <p style="text-align: right;">CBSA VP/AVP Programs Branch RECEIVED / RECU</p>			

APR 29 2016
3:50

Canada

ASFC VP/VPD - Direction générale des Programmes

MAY 04 2016



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For information

MUTUAL RECOGNITION ARRANGEMENT BETWEEN THE CANADA BORDER SERVICES AGENCY AND MEXICO'S TAX ADMINISTRATION SERVICE

For the Minister

PURPOSE

To inform you that the Mutual Recognition Arrangement (MRA) between the Canada Border Services Agency (CBSA) and Mexico's Tax Administration Service (SAT) regarding Authorized Economic Operator (AEO) programs will be signed on May 11, 2016, in Mexico.

ISSUE

The CBSA has been invited to sign the CBSA-SAT MRA at the World Customs Organization (WCO) 3rd Global AEO Conference on May 11, 2016, in Mexico. It is expected that the MRA will be well received by stakeholders and may garner media attention.

BACKGROUND

The MRA signifies that both administrations apply similar security standards and site-validation practices when approving members in their respective AEO programs. The MRA will allow both countries to recognize each other's members as trusted traders and grant them similar benefits, such as facilitation at the border.

Canada and Mexico began work on an MRA in September 2014. A thorough program comparison deemed our AEO programs compatible, and the MRA text was completed in April 2016 after consultations with Global Affairs Canada (GAC).

STATUS

I will attend this conference to sign the MRA and participate in plenary discussions. Signing the MRA in May maintains the momentum of our trilateral collaboration going into the North American Leaders Summit in June. GAC and the Privy Council Office support signing the MRA. The Canadian Ambassador to Mexico may also be present for the signing.

Page 1 of 2

Canada

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It is expected that representatives among the 180 WCO member countries will be in attendance, as well as high-level officials of government agencies, leaders in the private sector, experts in foreign trade, and AEO-certified companies. The conference will provide the unique opportunity for participants to learn about successful AEO implementation across the world, to examine the challenges of today, and to exchange views on future opportunities for AEO at the national, regional, and global levels.

COMMUNICATIONS CONSIDERATIONS

A proactive Communications Plan was developed to inform program members, stakeholders and the general public of the signing of this MRA and the benefits/implications. A CBSA News Release, with a quote from the Minister of Public Safety, will be issued on the day of the signing and reactive media lines have been developed. We will work with your office to finalize the communication's approach.

NEXT STEPS

Once the MRA is signed, the CBSA and SAT will work to implement this arrangement by fall/winter 2016.

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.

 MAY 04 2016

Linda Lizotte-MacPherson
President

c.c.: Mr. Malcom Brown, Deputy Minister
Public Safety Canada



Canada Border
 Services Agency Agence des services
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For information

THE

For the Minister

PURPOSE

To provide you with information on a current issue between one of the members of the
 the and the

BACKGROUND

The is an association representing the majority of
 including the ocated at the border crossing in The
 is located on land currently owned by the that is being
 leased by the This lease will expire on and the
 has been trying for many months to negotiate a new lease, without success. Instead, the
 has indicated that it would like to put the lease up for tender by way of a request for
 proposals (RFP).

The Canada Border Services Agency (CBSA) is aware of this issue and has been fully engaged
 with all stakeholders. The Agency has had several in-person meetings with the
 and the as well as their respective legal representatives, and has responded
 to numerous written enquiries. The views of the individual stakeholders can be summarized as
 follows:

The licensee:

This longstanding first received its licence from the Agency on
 and it has continuously renewed its lease with the
 to operate at this location since that time. The Agency also renewed its licence in
 which is currently valid until

The has also made significant business and infrastructure investments
 over the past decades and, in recent years, specifically done so through renovation of its
 facilities.

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Coinciding with the expiry of the lease with the _____ in _____ he
_____ has indicated its intention to issue a tender for a possible new tenant by
way of an RFP; however, the reasons for which it wants to proceed with an RFP, as
opposed to a renewal of the existing lease with the current _____ are unknown to
the CBSA.

The CBSA believes that its policy position on this specific matter is clear and in accordance with
the regulatory provisions. It also believes that it has consistently communicated this position to
all stakeholders.

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STATUS

The [redacted] intends to release its RFP in early February 2016. Consequently, the [redacted] considers this matter to be very sensitive and urgent.

The CBSA has communicated its position on this matter, [redacted] to stakeholders. It has stated that its role is limited, as the Minister should not intervene in private negotiations and affect the commercial rights between two private parties.

NEXT STEPS

Based on the fact that the [redacted] continues to express significant concerns relating to this matter, Mr. Martin Bolduc, Vice-President of the Programs Branch, accompanied by officials from CBSA Legal Services, will be meeting representatives of the [redacted] and the [redacted] on [redacted] to discuss the matter and explain once again the Agency's position.

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.

Linda Lizotte-MacPherson
President

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada

FEB 24 2016



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For information

FINAL DETERMINATIONS OF DUMPING AND SUBSIDIZING WITH RESPECT TO CERTAIN CARBON AND ALLOY STEEL LINE PIPE FROM THE PEOPLE'S REPUBLIC OF CHINA

For the Minister

PURPOSE

To provide information concerning the conclusion of the investigations with respect to certain carbon and alloy steel line pipe originating in or exported from the People's Republic of China (China).

ISSUE

On February 24, 2016, the Canada Border Services Agency (CBSA) will make final determinations of dumping and subsidizing with respect to certain carbon and alloy steel line pipe originating in or exported from China. The CBSA is required under the *Special Import Measures Act* (SIMA) to issue final decisions on the questions of dumping and subsidizing within 90 days after making preliminary determinations, or by February 24, 2016. Provisional duties related to the dumping and subsidizing of the goods from China will continue to apply until the Canadian International Trade Tribunal (CITT) concludes its inquiry with respect to the injury to Canadian industry, which it must do within 120 days of the preliminary determinations, or by March 25, 2016.

BACKGROUND

Canadian industry has the legislated right to be protected from unfairly priced imports, including goods that have been dumped and/or subsidized. Dumping occurs when goods are sold to importers in Canada at prices that are less than their selling prices in the exporter's domestic market or at unprofitable prices. Subsidizing occurs when goods imported into Canada benefit from foreign government financial assistance.

The CBSA provides help to Canadian producers who face unfair foreign competition in the Canadian marketplace. The CBSA is responsible for the administration of SIMA, which helps to protect Canadian industry from injury caused by the dumping and subsidizing of imported goods.

On August 28, 2015, the CBSA initiated investigations under SIMA, respecting the alleged injurious dumping and subsidizing of certain carbon and alloy steel line pipe originating in or exported from China.

The investigations follow a complaint filed on July 10, 2015, by EVRAZ Inc. NA Canada (Regina, Saskatchewan), Canadian National Steel Corporation (Camrose, Alberta) (collectively "Evraz"), Tenaris Global Services (Canada) Inc. (Calgary, Alberta), Algoma Tubes Inc. (Sault Ste Marie, Ontario), and Prudential ULC (Calgary, Alberta) (collectively "Tenaris Canada") (the complainants).

The complainants, with the support of other domestic manufacturers, represent a major proportion of the domestic production of like goods. The Canadian market size for carbon and alloy steel line pipe has been estimated at million annually.

On October 27, 2015, the CITT determined that there is evidence that discloses a reasonable indication that the dumping and subsidizing of certain carbon and alloy steel line pipe have caused injury or are threatening to cause injury to the domestic industry.

The CBSA considers that this industry sector in China does not operate under competitive market conditions. The investigation has revealed that there is reason to believe that the Government of China plays a significant role in the steel pipe sector in China, which includes carbon and alloy steel line pipe, and in the determination of industry prices.

Preliminary decisions of dumping and subsidizing were made on November 26, 2015. At that time, provisional duties were put in place while the investigations continued.

STATUS

Since the preliminary decisions, the CBSA continued the investigations, which revealed that the subject goods from China have been dumped and subsidized. As a result, on February 24, 2016, the CBSA will make final determinations of dumping and subsidizing, confirming that the imports have been unfairly priced.

COMMUNICATIONS CONSIDERATIONS

The communications approach with respect to such investigations is to issue a news release at the initiation of the investigations, but not to issue news releases at subsequent decision points. In this case, a news release was not issued at the initiation of the investigations in accordance with the caretaker convention, so no news releases were or will be issued for these investigations.

On February 24, 2016, letters will be sent out to key parties and the decisions will be posted on the CBSA's website. A *Statement of Reasons*, which is a public document containing details of the investigations, will be made available by March 10, 2016. In addition, the CBSA website contains all relevant details respecting these investigations and their decision points. Decisions of this type are generally reported by the media in financial and trade publications. Coverage is usually factual in nature.

It is anticipated that Canadian industry will generally react positively to the decisions. The government of China and the exporting/importing community may not be in agreement with our final decisions. As a result, the CBSA's actions on this case may draw attention from the international trading community. Global Affairs Canada is aware of the investigations and will be informed of the decisions.

NEXT STEPS

The CBSA has a legal requirement to advise key stakeholders of the decisions being issued on February 24, 2016. On that date, letters will be sent out to key parties and the decisions will be posted on the CBSA's website. The *Statement of Reasons* will be made available by March 10, 2016. The matter has been referred to the CITT for an inquiry into the question of injury to the Canadian industry. The CITT must render a final decision by March 25, 2016. Provisional duties will continue to apply to imports of subject goods until the CITT concludes its inquiry.

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.

 FEB 22 2016

Linda Lizotte-MacPherson
President

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada



Canada Border
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For information

ADVANCE RULING FOR MILK PROTEIN SUBSTANCES

For the Minister

PURPOSE

To inform you that the Canada Border Services Agency (CBSA) has received two requests, one from a United States based manufacturer and another from a Canadian importer, to issue advance rulings (ARs) for liquid milk protein substances (MPS), also known as diafiltered milk.

ISSUE

The issuance of the ARs represents the first legally binding decision by the CBSA confirming the tariff classification of MPS as duty-free and tariff rate quota (TRQ) -free goods when manufactured and imported from the United States. This confirmation of the classification as duty-free and TRQ-free goods may garner a negative reaction from the Dairy Farmers of Canada (DFC) and attract further media attention.

BACKGROUND

The *Customs Tariff* only provides for protein content to be measured on a dry weight basis. Supplementary note 2 to Chapter 35 of the *Customs Tariff* states that MPS containing 85 % or more by weight of protein are classified under Chapter 35, and specifically requires that the protein content be measured in the dry state. Thus, although the goods under review enter Canada in the liquid state the protein content must be measured in the dry state in order to comply with the legislation.

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The goods under review meet the terms of that note and are therefore properly classified as a milk protein substance of Chapter 35. The CBSA is confident that its interpretation of the supplementary note and the tariff classification of liquid MPS is correct.

The CBSA administers the *Customs Tariff* on behalf of Finance Canada; changes to the *Customs Tariff* may only be made by Finance Canada.

Recent Budget 2016 announcements indicating that the Government intends to launch public consultations on eliminating tariffs on food manufacturing ingredients other than supply managed goods would not impact these ARs as these milk protein substances are supply-managed goods and, more specifically, are imported duty free as they are manufactured and imported from the United States.

COMMUNICATIONS CONSIDERATIONS

This issue has recently been in the media, with dairy farmers alleging that there are border-control issues related to importations of liquid MPS into Canada. Once issued, these ARs may draw further negative media attention to this issue. The CBSA will be prominent in any such complaints, as it is responsible for the administration of tariff classification and importation of goods into Canada. Media lines will be prepared prior to the issuance of these ARs.

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NEXT STEPS

The CBSA will formally issue the ARs on April 15, 2016.

The CBSA will continue to support Government of Canada efforts to manage this issue by ensuring the correct tariff classification of such goods.

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.

Linda Lizotte-MacPherson
President

c.c.: Mr. Malcolm Brown, Deputy Minister
Public Safety Canada

MAR 21 2016



Canada Border
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For information

INITIATION OF INVESTIGATIONS WITH RESPECT TO THE ALLEGED DUMPING AND SUBSIDIZING OF CERTAIN WELDED LARGE DIAMETER CARBON AND ALLOY STEEL LINE PIPE

For the Minister

PURPOSE

To provide you with information regarding the initiation of a dumping investigation concerning certain welded large diameter carbon and alloy steel line pipe (large line pipe) originating in or exported from the People's Republic of China (China) and Japan, and the initiation of a subsidy investigation concerning large line pipe from China.

ISSUE

On March 24, 2016, the Canada Border Services Agency (CBSA) will initiate investigations under the *Special Import Measures Act* (SIMA) respecting the alleged injurious dumping and subsidizing of the above-mentioned goods.

Large line pipe is used by the oil and gas industry in pipelines for the gathering and distribution of oil and gas, or as process pipe used in steam generation facilities for steam-assisted gravity drainage, petrochemical plants, upgraders, gas transmission facilities, fabrication of modules, and as slurry pipe in oil sands operations.

Preliminary decisions regarding dumping and subsidizing will be made within 90 days of the initiation of the investigations, i.e., by June 22, 2016.

BACKGROUND

Canadian industry has the legislated right to be protected from unfairly priced imports, including goods that have been dumped and/or subsidized. Dumping occurs when goods are sold to importers in Canada at prices that are less than their selling prices in the exporter's domestic market or at unprofitable prices. Subsidizing occurs when goods imported into Canada benefit from foreign government financial assistance.

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The investigations follow a complaint filed on February 5, 2016, by EVRAZ Inc. NA Canada (Regina, Saskatchewan) and its affiliate company Canadian National Steel Corporation (Camrose, Alberta) (collectively “EvrAZ Canada”). The complainant is the sole producer of large line pipe in Canada.

On February 26, 2016, the complainant and the governments of China and Japan were informed in writing that the complaint was received and that it was properly documented. At the same time, in accordance with Canada’s international obligations, the Government of China was provided with the portion of the non-confidential version of the complaint relating to the subsidy allegations.

There is evidence that the imports of subject goods from China and Japan are being dumped, and that subject goods from China are being subsidized. The Canadian manufacturers are being injured as a result.

The Canadian market for large line pipe was estimated at approximately \$307 million in 2015.

STATUS

The CBSA is legally mandated by SIMA to provide notification to stakeholders at the initiation of the investigations. For that reason, public notices, including a news release, are issued at the time of initiation. Decisions of this type are generally reported in financial and trade publications, but coverage is usually factual in nature.

NEXT STEPS

Once the investigations are initiated, the Canadian International Trade Tribunal (CITT) will conduct a preliminary injury inquiry into whether the evidence discloses a reasonable indication that the dumping and/or subsidizing of the subject goods has caused injury and will render a preliminary decision on injury by May 23, 2016. If the CITT concludes that the evidence does not disclose a reasonable indication of injury, the investigations will be terminated.

The CBSA will conduct investigations into the question of dumping and subsidizing and will render preliminary decisions within 90 days of the initiation of the investigations, i.e., by June 22, 2016. The Government of China, exporters in China and Japan, and vendors and importers of the subject goods will be given an opportunity to provide information to the CBSA in the course of the investigations.

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If it is determined that the subject goods are being dumped and/or subsidized, and there is a preliminary determination of injury, provisional duties will be applied on imports of subject goods pending final decisions.

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.

 MAR 21 2016

Linda Lizotte-MacPherson
President

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada



Canada Border
Services Agency

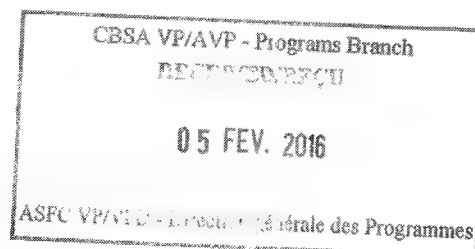
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CBSA/ASFC-16-00306

ROUTING SLIP/BORDEREAU D'ACHEMINEMENT

ACTION REQUIRED/ MESURE REQUISE			
Name and Telephone Number/ Nom et numéro de téléphone	Initials and date/ Initiales et date	Action	Information
President/Présidente Linda Lizotte-MacPherson		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vice-President/ Vice-président Martin Bolduc	<i>BS</i> FEB 08 2016	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Associate Vice-President/ Vice-président délégué Peter Hill		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Director General/ Directrice générale Arianne Reza	<i>BS</i>		
Executive Director/ Directeur exécutif Sébastien Aubertin-Giguère			
<p>Subject/Objet : Briefing Note for Minister : Faces on the Move Technology Demonstration</p> <p>Action/Mesure : For Approval / Pour approbation</p> <p>BF/AR : 2016-02-05</p> <p>Please find enclosed a briefing note for the Faces on the Move (FOTM) technology demonstration. FOTM will test face recognition technology at Pearson International Airport to assist with the interdiction of previously deported persons who seek to re-enter Canada using identity documents under different names.</p> <p>The CBSA will submit the Privacy Impact Assessment for this demonstration to the Office of the Privacy Commissioner by mid-February and the demonstration will commence shortly thereafter. The project will run for a fixed duration of six months from the date of commencement, following which the facial recognition equipment will be removed.</p> <p>Consultations: Science and Engineering Directorate (Diane Keller), Border Operations Director (Benoit Chiquette), Corporate Secretariat Directorate (Robert Mundie)</p>			





For information

FACES ON THE MOVE – MULTI-CAMERA FACE RECOGNITION SCREENING

For the Minister

PURPOSE

To provide you with information on the face recognition technology demonstration of the Canada Border Services Agency (CBSA) project called Faces on the Move (FOTM), which is scheduled to take place at Toronto Pearson International Airport beginning in early 2016.

ISSUE

The FOTM demonstration will test the operational readiness of face recognition technology by comparing ambient images of persons seeking entry to Canada with facial photographs in a database of individuals on the CBSA's list of previously deported persons.

BACKGROUND

The objective of the FOTM project is to demonstrate the readiness of face recognition technology for potential screening in an operational environment. The technology could assist in overcoming some of the limitations of name-based lists. Specifically, it can assist in identifying travellers who are known to be inadmissible and seek to enter Canada using false identity documents or documents issued under different names.

The system will record and store facial images of travellers and compare these images with stored images of previously deported persons. It will notify CBSA officers when a match is detected. After a human review of the match, an officer will be dispatched to find the traveller for further examination.

The demonstration will be conducted at Toronto Pearson International Airport starting in the first half of 2016. The system is scheduled to be in operation for six months, following which it will be decommissioned; the analysis phase of the project will continue for another six months.

The CBSA is the lead federal organization for this project, which is funded by Defence Research and Development Canada (DRDC). This project builds on two previous DRDC-funded projects carried out in 2011–2013 and 2013–2014.

The private sector and academic partners that are actively contributing to the project include Face 4 Systems (formerly known as NextGenID), the ADGA Group, and the University of Quebec (Montreal). The project also includes passive participants who are interested in what the results could mean for other law enforcement applications. These passive participants include Public Safety Canada, the Royal Canadian Mounted Police, Transport Canada, the Calgary Police Service, and the United States Department of Homeland Security.

STATUS

A privacy impact assessment (PIA) for the FOTM project has been prepared specifically to assess privacy risks with this demonstration. The PIA has been finalized according to the CBSA's existing policy authorities and directives and was submitted to the Office of the Privacy Commissioner (OPC) on January 22, 2016.

The CBSA met with the OPC on February 19, 2015, to discuss the project and the draft PIA. A formal letter was received from the OPC in March 2015 that provided comments on the CBSA's approach in the draft PIA. The OPC raised questions regarding the use of face recognition over fingerprint technology, the handling of false positives, and the retention period for information collected during the demonstration, all of which have been addressed in the PIA.

If the FOTM project is successful, the concepts and approaches explored may be considered for possible integration into future technology initiatives. No permanent implementation is planned at this time.

COMMUNICATIONS CONSIDERATIONS

The CBSA will adopt a responsive approach for internal and external audiences, including media, the public, and CBSA personnel, should questions be raised.

While the location of the project has been shared with the OPC, it will not be included in public facing documents, as this could alert known inadmissible persons who could then avoid the test location and thereby undermine the pilot project.

This project was made public in January 2014 when the DRDC issued a news release announcing 20 new science and technology projects. On January 30, 2014, the *Ottawa Citizen* reported that the CBSA “will lead a project that will test the readiness of face recognition technology as a means of screening against a database in an operational environment” and listed the project partners. There has been recent media interest in this project following the release of the Privacy Commissioner’s annual report in December 2015.

NEXT STEPS

The pilot will proceed concurrently with the OPC’s review of the PIA. This approach is necessary to respect the timelines imposed by the DRDC funding and the associated contracts.

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.

Linda Lizotte-MacPherson
President

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada



For information

**PUBLIC SAFETY MINISTER RALPH GOODALE
AND UNITED STATES AMBASSADOR BRUCE HEYMAN
BILATERAL MEETING**

For the Minister

PURPOSE

To provide information from the Canada Border Services Agency (CBSA) perspective on issues that may be raised by the United States (US) Ambassador to Canada, Mr. Bruce Heyman, during his bilateral meeting with the Minister of Public Safety, the Honourable Ralph Goodale, PC, MP.

ISSUE

You will be meeting with Ambassador Heyman on Monday, February 1, 2016. Mr. Heyman is likely to raise issues such as Entry/Exit, security at Canadian NEXUS enrolment centres (ECs), and Canada's Syrian refugee initiative. The meeting presents you with the opportunity to highlight the successful January 20-21, 2016 Joint Senior Executive Meeting between the CBSA's leadership and their US Customs and Border Protection (CBP) counterparts.

BACKGROUND

Entry/Exit

We will provide you with an update on this issue at the briefing scheduled for January 25.

NEXUS EC Security

The US has been pushing for an armed security presence at NEXUS ECs, in light of perceived international security threats to uniformed CBP officers. !

CBP officers have been instructed to use body armour while working in locations within Canada that are not secured by armed law enforcement officers as an interim measure.

The CBSA is conducting a threat and risk assessment (TRA) that will include NEXUS ECs and will work with CBP on a permanent solution once the TRA is completed. Following discussions at the January 20-21, 2016 CBSA-CBP Joint Senior Executive meeting in New Orleans, both agencies agreed on interim measures to enhance security at NEXUS ECs. The measures include having a nearby police presence or, where possible, to have the CBSA officers in the EC armed. Both agencies are satisfied with this interim solution which is to be implemented by the end of February 2016.

Syrian Refugee Initiative

Ambassador Heyman will likely enquire about the security screening that is being done to process Syrian refugees. As of January 21, 12,729 Syrian refugees have arrived in Canada. You may wish to explain that this initiative has not introduced new national security risks and that protecting the safety, security and health of Canadians and refugees remains our priority.

Canadian officials are ensuring full security screening of each individual. Both the CBSA's National Targeting Centre and its National Security Screening Division are conducting checks on applicants in conjunction with security partners prior to the issuance of travel documents, and CBSA Liaison Officers are performing a visual identity check prior to travellers boarding planes bound for Canada.

Any information held in US government systems which has been shared with Canadian officials via established protocols is vetted thru the US Terrorist Screening Centre. Where a nexus to the US is identified, this information is shared with US authorities through established protocols.

January 2016 CBSA-CBP Joint Senior Executive Meeting

CBSA-CBP Senior Executive meetings are held annually-biannually to strengthen the CBSA-CBP relationship, to gain a better understanding of each other's future priorities, and to resolve challenges and build momentum in advancing joint initiatives.

Both Agencies' senior leadership met in New Orleans on January 20-21, 2016 to discuss a wide-array of joint priorities, including Entry/Exit, security at NEXUS ECs and Canada's Syrian refugee initiative. Further, both Agencies established a path forward with joint deliverables to enhance trade and security while facilitating border processing. This includes, amongst other priorities, the development of: a common vision to harmonize customs single window systems, a joint trade enforcement strategy, and a joint statement on a shared vision for cargo pre-inspection.

CONSIDERATIONS

The CBSA President has not yet met with the US Ambassador; therefore, the aforementioned issues have not yet been discussed between CBSA officials and the Ambassador.

Linda Lizotte-MacPherson
President

ATTACHMENT(S)

1. Suggested Talking Points

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada



SUGGESTED TALKING POINTS

Minister Goodale – Ambassador Heyman Bilateral Meeting

Entry/Exit

[Input to be provided following a briefing with the Minister on January 25.]

Security at NEXUS Enrolment Centres

- I want to assure you that that we are taking this very seriously.
- An assessment of the threat environment at NEXUS Enrolment Centres (ECs) is being prepared from a Canadian perspective. CBP is participating in these discussions to ensure the assessment is comprehensive.
- The outcomes of the assessment will be shared with CBP and will provide the necessary background to jointly determine a long-term solution to the issue of security at NEXUS ECs in Canada.
- I understand that, pending the completion of this threat assessment, CBSA and CBP have agreed to interim measures to enhance security at Canadians ECs by having a police presence nearby or an armed CBSA officer on site where possible.
- These interim measures will be put in place by the end of February 2016.

Syrian Refugee initiative

- Canada is working with the United Nations Refugee Agency (UNHCR) to identify eligible refugees in Jordan and Lebanon.

- 2 -

We are prioritizing vulnerable refugees who are a low security risk, such as children, women at risk and complete families.

- The CBSA has dispatched officers overseas to screen potential arrivals. All refugees are being thoroughly screened by CBSA and our partners. This process includes security vetting, final verification of identity and health hazard checks.
- Any information held in US government systems which has been shared with Canadian officials via established protocols is vetted through the US Terrorist Screening Centre. Should further concerns be identified with an individual, the application is set aside and he or she will not be eligible for this accelerated process.
- Where the CBSA has reasonable grounds to believe that an individual is inadmissible, they will prepare and refer a report to the Immigration and Refugee Board for a hearing which may result in their removal from Canada.

CBSA-CBP 2016 Joint Senior Executive Meeting

- I understand that CBSA and CBP's senior leadership met in New Orleans on January 20-21, 2016 to strengthen their relationship and to discuss a wide-array of joint priorities, including many of the same issues we are discussing today.
- I am pleased that both agencies continue to leverage such opportunities to resolve key issues, such as NEXUS Enrolment Centre security, and advance joint priorities.



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For information

CANADA BORDER SERVICES AGENCY AND UNITED STATES CUSTOMS AND BORDER PROTECTION JOINT SENIOR EXECUTIVE MEETING

For the Minister

PURPOSE

To inform you about the main outcomes of the Canada Border Services Agency (CBSA) and United States (US) Customs and Border Protection (CBP) joint senior executive meeting held in New Orleans, Louisiana, on January 20 and 21, 2016.

ISSUE

The meeting between the CBSA and US CBP executive teams provided an opportunity to strengthen the CBSA's working relationship with US CBP, gain a better understanding of each other's priorities and operational realities, and advance joint initiatives.

BACKGROUND

A joint senior executive meeting is held on an annual basis to enhance information sharing, align border modernization efforts, and advance joint priorities through a CBSA-US CBP co-operation agenda.

A number of domestic and shared priorities for border management were addressed at the January 20–21, 2016, meeting, including:

- the Government of Canada's commitment to resettle 25,000 Syrian refugees and its other priorities;
- the status of Beyond the Border Action Plan initiatives;
- the exploration of information-sharing initiatives between Canada and the US on traveller, commercial, and cargo processing for enforcement and risk management;
- international engagement opportunities;
- the coordination of targeting efforts, particularly on trade and commercial transactions; and
- security for US officers working in Canada such as at NEXUS enrollment centres.

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As a result of the meeting, the CBSA and US CBP agreed to pursue a number of new initiatives through the 2016–2017 CBSA–US CBP co-operation agenda, including the creation of a working group to explore the strategic path forward for the NEXUS program, the development of a common vision for trade enforcement and a roadmap for engagement with Mexico on the vision for a North American Single Window, and the development of a joint statement on a shared vision for cargo pre-inspection.

CONSIDERATIONS

With their strong emphasis on concrete measures aimed at strengthening economic competitiveness and security with Canada's principal ally and trading partner, CBSA–US CBP joint senior executive meetings are an important mechanism to advance the Government's commitment to enhance Canada's relationship with the US.

NEXT STEPS

The next joint senior executive meeting is expected to be held in Canada in early 2017, following the November 2016 US federal election.

Please be advised that I am available to discuss, or have CBSA officials brief your staff, at your convenience.

Linda Lizotte-MacPherson
President

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada

President's Office Time Stamp / Timbre dateur du bureau du président

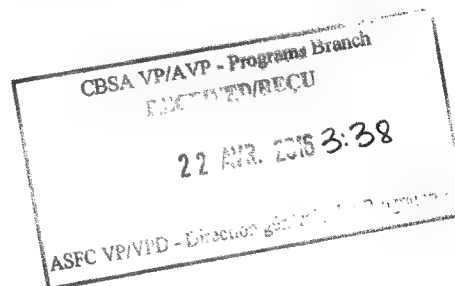


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CBSA/ASFC-16-01597

ROUTING SLIP/BORDEREAU D'ACHEMINEMENT

		ACTION REQUIRED/ MESURE REQUISE	
Name and Telephone Number/ Nom et numéro de téléphone	Initials and date/ Initiales et date	Action	Information
President/ Présidente Linda Lizotte-MacPherson	24 APR 25 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vice-President Programs/ Vice-président des programmes Martin Bolduc		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Associate Vice-President/ Vice-président délégué Peter Hill	P. Hill 22/4	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A/Director General/ Directrice générale p.i. Lesley Soper	R April 22/2016		
A/Executive Director/ Directeur exécutif p.i. Carl Desmarais			
Legal Services/ Services juridiques Tom Saunders			
Subject/Objet : Ministerial Relief Inventory Management Action/Mesure : For Approval / Pour approbation BF/AR : The attached briefing note was developed to seek the Minister's concurrence on the Canada Border Services Agency's (CBSA) proposed approach to referring Ministerial relief (MR) cases for his consideration. Consultations Inland Enforcement Operations and Case Management Division (Susan Kramer) National Security Screening Division (Kimberly Saunders)			



APR 25 2016



Canada Border
Services Agency Agence des services
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For action

MINISTERIAL RELIEF - INVENTORY MANAGEMENT

For the Minister

PURPOSE

To seek your concurrence on the Canada Border Services Agency's (CBSA) proposed approach to referring Ministerial relief (MR) cases for your consideration.

ISSUE

BACKGROUND

Under the *Immigration and Refugee Protection Act* (IRPA), persons inadmissible on the grounds of security, organized criminality and certain provisions related to war crimes or crimes against humanity may be granted relief by the Minister of Public Safety (the Minister) should the latter be satisfied that it is not contrary to the national interest to do so. While the CBSA provides a recommendation, IRPA prohibits the Minister from delegating this decision. If the Minister concurs, the CBSA's assessment legally becomes the Minister's "reasons" when challenged before the courts. If the Minister disagrees with the CBSA recommendation, reasons must be provided and form the grounds for judicial review.

The CBSA has an aging and highly litigated inventory of 302 MR applications. Fourteen new MR requests are received per year on average, approximately the same volume as Ministerial decisions rendered¹, essentially maintaining the inventory. Several factors have hampered more effective inventory management. Among them were: high litigation volumes; a series of divergent court decisions² impacting the MR program; an increasingly complex legal

¹ In the past five calendar years, the Minister rendered 61 MR decisions, 56 of which were denials of relief.

² Due to litigation and changes in case law, some MR applications have been re-assessed by the CBSA and/or re-determined by the Minister multiple times over the years (the oldest such case originally dates from 1996).

PROTECTED B

environment and MR assessments in the aftermath of the 2013 Supreme Court (SCC) *Agraira* (MR) ruling; and, a lack of statutorily-imposed structure surrounding application procedures.

Currently, MR processing is onerous, involving voluminous information; complex legal arguments; disclosure of draft recommendations to applicants (for procedural fairness), with the resulting obligation to consider any new submissions prior to forwarding a final version for Ministerial decision; and, the need to demonstrate through a detailed assessment and recommendation that the Minister considered all potentially relevant information and arguments. As a result, processing times average nine months from start of assessment to delivery of the CBSA recommendation to the Minister; approximately one-third of this is devoted to the disclosure process.

Since introducing significantly more rigour into MR assessments post-SCC *Agraira*, the CBSA has experienced unprecedented success before the Federal Court: 100% of MR denials have been upheld thus far (vs. as little as 20% in the past), based, according to the court, on the thoroughness and defensibility of the Minister's reasons. While highly resource-intensive, it is crucial that the current process and approach be maintained to ensure the long-term viability of the MR program.

STATUS

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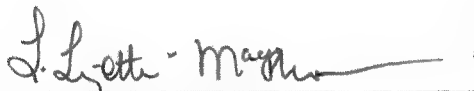
NEXT STEPS

Concurrently, the Agency will continue regular processing of cases falling outside the scope of this proposal, in an effort to attenuate legal risks to the overall MR program.

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RECOMMENDATION

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.



APR 25 2016

Linda Lizotte-MacPherson
President

Minister's Response

I approve ☐

I do not approve ☐

The Honourable Ralph Goodale, P.C., M.P.

Date

c.c.: Mr. Malcolm Brown, Deputy Minister
Public Safety Canada



Canada Border
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For decision

CHINA ENGAGEMENT

For the President

PURPOSE

Seeking endorsement for the Canada Border Services Agency's (CBSA) continued participation in the Canada-China Working Group (WG) on Law Enforcement which is to be co-chaired in Canada by the CBSA and the Royal Canadian Mounted Police (RCMP).

ISSUE

Over the past 15 year first Immigration, Refugees and Citizenship Canada (IRCC), and now the CBSA has sought to establish a positive and open dialogue with the Ministry of Public Security (MPS). The WG has been a key forum for this dialogue. This annual event is attended by representatives from the CBSA, IRCC, the RCMP, and the Peoples Republic of China (PRC) MPS with each country rotating responsibility for the planning and chairing of the event. The 13th annual WG is tentatively scheduled for June 2016, in Calgary, Alberta.

BACKGROUND

An important positive occurrence between Canada and China was the repatriation of economic fugitive Lai Changxing in June 2011. This case had become the primary irritant in Canada-China relations. This case has often been referenced as a clear example of Canada-China cooperation. It should be noted that contacts made through the Canada-China WG on Law Enforcement facilitated the necessary dialogue that resulted in the positive case outcome.

The WG facilitated the placement of a CBSA Temporary Duty (TD) officer based in Beijing, China, in September 2014. This initiative was focused on continuing engagement with key PRC agencies and international partners who had successfully established removal protocols with China. The TD position was converted into a full time, overseas liaison officer (LO) position with the placement of a second LO in Beijing, China, in September 2015.

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In January 2015, the former President of the CBSA, and the Vice-Minister of MPS, signed a Letter of Intent

STATUS

The Government of Canada (GOC) is currently undergoing an evaluation of its key foreign policy priorities, including its engagement strategy with China. This evaluation will be presented to Cabinet on May 5, 2016, and it is expected that senior level direction will be shared following a review of this document with impacted departments and agencies. The CBSA will work with GOC partners in order to ensure that the Agency's efforts are reflective of broader government objectives. The Canada-China WG on Law Enforcement remains a key forum for the CBSA to engage China in positive dialogue and support collaboration.

The CBSA is working in collaboration with the RCMP to prepare briefing material, a draft agenda, and related administrative requirements in support of the proposed 13th annual WG (attachment 2). These preparations will include a joint RCMP-CBSA request to the Minister for a hospitality budget that is needed as part of this event.

NEXT STEPS

The Enforcement and Intelligence Programs Directorate will continue to advance preparations for the 13th annual WG and further information will be provided to you to send to the Minister for approval.

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In addition, if supported by Canada's foreign priorities strategy, the CBSA will use the Canada-China WG on Law Enforcement to engage the BEEA in order to secure the In-Canada Identity Interview MOU, which represents a proven strategy to secure removal travel documents from China in a timely and cost effective manner, while allowing for discussions to continue towards finalizing a long-term Readmission Arrangement.

RECOMMENDATION

The CBSA should continue to co-chair the Canada-China WG on Law Enforcement with its RCMP and MPS counterparts, and use this key forum to engage key Chinese interlocutors on issues of concern and common interest.

Martin Bolduc, Vice-President
Programs Branch

Caroline Xavier, Vice-President
Operations Branch

President's Response

I approve ☐ I do not approve ☐

Linda Lizotte-MacPherson

ATTACHMENTS

- 1. CBSA REMOVAL STATISTICS FOR CHINESE NATIONALS**
- 2. DRAFT Canada China Working Group on Law Enforcement Agenda**



Canada Border
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PROTECTED B
February 5, 2016

ANNEX: CBSA REMOVAL STATISTICS FOR CHINESE NATIONALS

Key Statistics

- From January 1, 2012 to January 31, 2016, the CBSA has removed a total of 2,317 Chinese nationals. Of these, 165 were for criminality.
- Refugee claims from Chinese nationals have increased. There were 1,497 refugee claims from Chinese nationals in 2015, 1,191 during 2014 and 762 in 2013.
- There are 2,105 Chinese nationals in the working removal inventory.
- There are currently 30 Chinese Nationals detained on Immigration Hold.
- Five Chinese Nationals have currently been detained for 180 days or more.
- These 30 Chinese Nationals have been held for a cumulative total of 2,596 days
- The average cost of Detention for the 2013-14 fiscal year was \$292.41 per night.
- The total current cost of detention for these 30 persons to the Agency is \$759,096.36

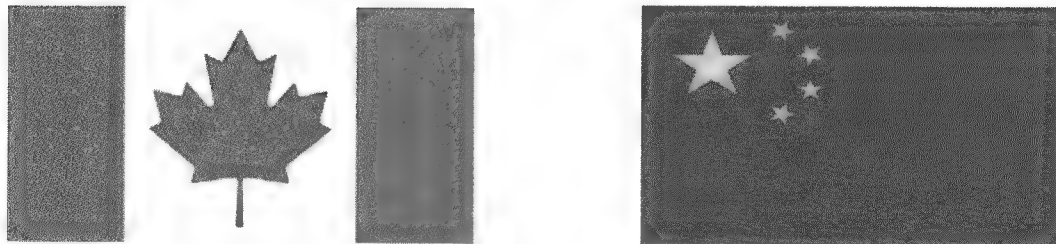
Observations and Trends

- Removal of Chinese citizens to China has averaged 462 per year over the past 4 years.



Canada China Working Group Meeting

Calgary, Alberta



June 7 -9, 2016

CANADA – CHINA WORKING GROUP MEETING CALGARY, CANADA

Members of Delegations

Canadian Delegation	C/Supt. Eric SLINN	RCMP, Director General, Federal International Special Services
	Insp. Rob GILCHRIST	RCMP, Director, INTERPOL
	Mr. Ahmed SYED	RCMP Policy Analyst, Strategic Policy International
	Insp. Peter TSUI,	RCMP LO Beijing, Program Manager
	Ms. Lesley SOPER	Acting Director General, CBSA Enforcement and Intelligence Programs Directorate
	Ms. Susan KRAMER	Director, CBSA Inland Enforcement Operations & Case Management Division
	S/Sgt. Richard MARCOTTE	RCMP, Regional Coordinator, International Operations & Policing Development
		FINTRAC
		FINTRAC

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CANADA – CHINA WORKING GROUP MEETING CALGARY, CANADA

Chinese
Delegation

Mr. Chuanqi WANG

MPS Chief Police Liaison Officer, Embassy of China to
Canada

Mr. Zengquan LIU

MPS Police Liaison Officer, Embassy of China to
Canada

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CANADA – CHINA WORKING GROUP MEETING CALGARY, CANADA

Monday June 6, 2016

Travel day for Canadian Delegation

Time **RCMP / CBSA hosted welcome dinner**

Dress Code: Business attire

Gift Exchange

One gift for MPS DG, One gift for MPS DDG, to be coordinated with CBSA

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CANADA – CHINA WORKING GROUP MEETING CALGARY, CANADA

Tuesday June 7, 2016

08:30 – 09:00 Opening Ceremony
Welcome / Opening Remarks by C/Supt. Eric Slinn, Director General for the RCMP Federal International Special Services
Response to Opening Remarks by Head of Chinese delegation

09:05 – 09:30 Group Photo, tea/coffee break

TOPIC ONE – Cooperation on Chinese Economic Fugitives

Update on activities regarding Chinese Economic Fugitives (RCMP, CBSA & MPS-ECID)

- Deportation / Removal
- Extradition
- FCIC / MLAT process

09:30 – 10:15 Presenter : Insp. Rob Gilchrist, RCMP

10:15 – 11:00 Presenter : NAME, CBSA

11:00 – 12:00 Presenter : MPS – ECID

12:00 – 13:30 Lunch

TOPIC TWO – Money Laundering & Proceeds of Crime

Update on the activities undertaken by the Canada – China Sub-Working Group on Money Laundering and Proceeds of Crime.

- MLAT Overview
- Proceeds of Crime legislation
- Money Laundering
- Offence Related Property legislation
- Major Proceeds of Crime Investigations
- Civil Forfeiture
- FINTRAC role in criminal investigation

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CANADA – CHINA WORKING GROUP MEETING CALGARY, CANADA

13:30 – 14:30 Presenter: Sgt. Blair Kelly, FCC – IMET

14:30 – 14:45 tea/coffee break

14:45 - 1545 Presenter: FINTRAC

15:45 - 1645 MPS

Time **Dinner hosted by PRC**

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CANADA – CHINA WORKING GROUP MEETING CALGARY, CANADA

Wednesday June 8, 2016

TOPIC THREE – Fentanyl

08:30 – 10:00	Presenter: EDIV SME KDIV SME (or combine with EDIV)
10:00 – 10:15	Tea / Coffee Break
10:15 – 11:30	Presenter: MPS
11:30 – 12:00	Discussion, Closing of meeting
12:00 – 13:30	Lunch

NOTE:

- The police-to-police MOU with China is still ongoing. RCMP has reviewed its content and made all changes needed. MOU now sit with MPS for their review and final approval.

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President's Office Time Stamp / Timbre dateur du bureau du président



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CBSA/ASFC-16-00053

ROUTING SLIP / BORDEREAU D'ACHEMINEMENT

		ACTION REQUIRED/ MESURE REQUISE	
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date	Action	Information
Minister/Ministre The Honourable Ralph Goodale L'honorable Ralph Goodale		<input type="checkbox"/>	<input checked="" type="checkbox"/>
President/Présidente Linda Lizotte-MacPherson	<i>LJ</i> JAN 12 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan	<i>Nada</i> JAN 11 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice-President / Vice-présidente Caroline Weber	<i>CW</i> 11 Jan 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director General/ Directrice générale Dena Palamedes Tel. /Tél. : 613-941-7216	<i>D.C. Palamedes</i> 6 Jan 16	<div style="text-align: right;"> <i>4:25</i> JAN 03 2016 e 215 JAN 02 2016 e 2:15 </div>	
Director/Directrice Claudette Blair Tel. /Tél. : 613-941-7454	<i>Claudette Blair</i> Jan 6 / 2016		
Subject/Objet : Minister's Briefing Package for the Audit of Arming Action/Mesure : For the Minister's Information BF/AR : January 18, 2016 This is to request the President's approval of the Minister's Briefing Package for the <i>Audit of Arming</i> to allow the posting of the audit report on the external website in January 2016. Please advise Shannon Lenahan, Strategic Advisor, Director General's Office of IAPED, when the President has approved the briefing package so the process for posting the Audit Report can be finalized.			

Canada

JAN 12 2016

Canada Border
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frontaliers du Canada

For information

AUDIT OF ARMING

For the Minister

PURPOSE

To inform you that the Audit of Arming report (see attachment 1) is scheduled for posting on the external website of the Canada Border Services Agency (CBSA) in January 2016, as required by the Treasury Board's Policy on Internal Audit. This audit was presented and approved at the June 16, 2015, Audit Committee meeting. Note that publication of this report was delayed because of the federal election.

ISSUE

The audit's objective was to assess the management control framework and practices in place to ensure that the arming initiative objectives would be met by March 31, 2016, and that arming policy and program requirements were adhered to.

BACKGROUND

In its 2006 budget, the Government of Canada directed that all front-line employees be trained and equipped with defensive tools, up to and including the duty firearm. All front-line employees are to be armed no later than March 31, 2016.

Since 2006, the number of firearm-designated positions has grown from the original estimate of 4,800 to approximately 6,744 in March 2014. This includes 1,200 positions associated with conducting off-site verifications and 744 additional positions for front-line land, marine, and inland enforcement.

AUDIT FINDINGS

The Agency is on track to meet its 2016 arming objective to arm all front-line officers in designated armed positions. Relevant training and tools were provided to armed officers, and a governance structure is in place to monitor the overall program. Arming policy and program requirements were adhered to. The Agency's duty firearms and ammunition in its sample were appropriately secured, inventoried, and life-cycle managed. However, there are some opportunities to improve the management of inventory. Also, administrative staff should be limited from having access to both duty firearms and ammunition at the same time.

The audit makes two recommendations related to:

- developing and implementing controls for non-conforming material, which includes the recall and disposal of duty firearms and ammunition; and
- segregating duties for administrative staff that have access to both firearms and ammunition.

STATUS

CBSA management is in agreement with the Audit of Arming results and accepts the recommendations. Since the approval of the report, the Arming Division has created and released the "CBSA Standard Operating Procedures on Recall and Return of Use of Force Assets" in response to the first recommendation. To address the second recommendation, all regions have implemented operational procedures to eliminate those situations in which administrative staff had access to both firearms and ammunition.

NEXT STEPS

The report was reviewed in accordance with the requirements of the *Access to Information Act*. The sections exempted from disclosure are highlighted in yellow and will not be published on the CBSA's external website.

The report will be posted on the CBSA's external website in late January 2016.

Media lines have been prepared to address potential inquiries by the media (see attachment 2).

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.



JAN 12 2016

Linda Lizotte-MacPherson
President

ATTACHMENTS

1. Report: Audit of Arming
2. Media lines

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada

President's Office time stamp / Timbre dateur du bureau de la présidente



Canada Border Services Agency
Agence des services frontaliers du Canada

26 JAN 10 15 : 19

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CBSA/ASFC-16-00132

ROUTING SLIP / BORDEREAU D'ACHEMINEMENT

		ACTION REQUIRED/ MESURE REQUISE	
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date	Action	Information
President/Présidente Linda Lizotte-MacPherson	<i>2</i> JAN 19 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice-President/ Vice-présidente Caroline Weber	<i>CW 15 Jan 16</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director General/ Directrice générale Dena Palamedes Tel. /Tél. :941-7216	<i>D.C. Palamedes 11 Jan 2016</i>	<div style="border: 1px solid black; padding: 5px;"> <p><i>4:00</i> JAN 13 2016 @ <i>HS</i> JAN 14 2016 @ <i>HS</i></p> </div>	
Director/Directeur Alex Li Tel. /Tél. :954-7280	<i>AL 2016-01-11</i>		
<p>Subject/Objet : Minister's Briefing Package for the <i>Evaluation of the Criminal Investigations Program</i></p> <p>Action/Mesure : For approval</p> <p>BF/AR : 2016-01-21</p> <p>Please find attached a briefing package for the publication of the Criminal Investigations Program Evaluation Report. The report is expected to be published on the Agency website in January 2016 to meet Treasury Board requirements.</p> <p>Please advise Shannon Lenahan, Strategic Advisor, Director General's Office of IAPED, when the President has approved the briefing package so the process for posting the Evaluation Report can be finalized.</p>			

Questions/changes - CW 11 Jan 2016

JAN 19 2016



Canada Border
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PROTECTED B

For information

EVALUATION OF THE CRIMINAL INVESTIGATIONS PROGRAM

For the Minister

PURPOSE

To advise you that the attached evaluation of the Canada Border Services Agency (CBSA) Criminal Investigations Program (CIP) (see attachment 1) is scheduled for posting on the Agency's external website in January 2016. The publication of this report was delayed due to the federal election.

ISSUE

The purpose of the evaluation was to assess the relevance and performance of the CIP. Overall, the evaluation found that there is a continued need for the CIP and that it supports the mandate and priorities of the CBSA.

The evaluation also made four recommendations to improve the program, to which the CBSA responded by developing a management action plan and associated target timelines.

My predecessor approved the final report on the evaluation of the CIP on April 2, 2015, and it is now ready for posting.

BACKGROUND

The CBSA is responsible for providing integrated border services that support national security and public safety priorities and facilitate the free flow of persons and goods, including animals and plants, that meet all requirements under the program legislation. Under the CIP, the CBSA investigates and pursues the prosecution of persons who commit criminal offences in contravention of Canada's border-related legislation, including the *Customs Act* and the *Immigration and Refugee Protection Act*.

In fiscal year (FY) 2012–2013, the CBSA spent \$26.4 million to deliver the CIP. In the same FY, the program received 3,110 leads, opened 913 investigations, and concluded 547 cases.

PROTECTED B

The evaluation found that CBSA headquarters provides guidance to regional criminal investigations divisions on how to assess incoming referrals. However, because the decision process is not tracked electronically, it is impossible to know which factors led or did not lead to an investigation. Further, current program statistics do not link referrals to outcomes and cases. Therefore, it is not known which factors led to the successful conclusion of a case.

The evaluation recommended that the CBSA develop a performance measurement framework that links key indicators for each case from the initial referral stage to the final outcome, including the criteria for the various decision points. It was also recommended that the CBSA implement regular monitoring of program performance against intended outcomes and determine if activities are aligned with program objectives, including national priorities.

The evaluation also found that the CIP relies heavily on partnerships with other government departments (OGDs) to provide evidence for case files. The CBSA was granted investigative body designation (IBD) status in 2010, but obtaining information from OGDs to support a criminal investigation does not always happen in a timely manner, and the program is sometimes compelled to obtain a court order (production order) to fulfil and/or expedite the process.

In light of these findings, the evaluation recommended that the CBSA analyze the challenges in obtaining evidence from OGDs using its IBD status and consult with internal and external stakeholders to resolve identified barriers. It also recommended that the CBSA implement actions to mitigate identified barriers and monitor progress in obtaining evidence from OGDs using the IBD status.

The evaluation found that the program is being delivered cost-effectively. Its budget was reduced from FY 2011–2012 to FY 2012–2013 and was delivered under constraints related to systems, equipment, and modern investigative tools. Despite these constraints, the program performed well on a key performance indicator related to the number of cases accepted for prosecution by the Public Prosecution Service of Canada at nearly 100%.

Finally, case work increasingly involves mobile technology, such as smart phones. Officers require specific expertise and training to conduct digital forensic investigations. In light of this, the evaluation recommended that the CBSA develop options to deliver the digital forensic investigations service and to optimize the alignment of existing resources to support evolving demands, as well as implement and monitor the selected options.

President's Office Time Stamp / Timbre dateur du bureau du président



Canada Border Services Agency
Agence des services frontaliers du Canada

JAN 15 14 : 08

CBSA/ASFC-16-00104

ROUTING SLIP / BORDEREAU D'ACHEMINEMENT

ACTION REQUIRED/ MESURE REQUISE			
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date	Action	Information
Minister/Ministre The Honourable Ralph Goodale L'honorable Ralph Goodale	<i>R</i> JAN 19 2016	<input type="checkbox"/>	<input checked="" type="checkbox"/>
President/Présidente Linda Lizotte-MacPherson		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice-President / Vice-présidente Caroline Weber	<i>CW</i> 13 Jan 16 / <i>AS</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director General/ Directrice générale Dena Palamedes Tel. / Tél. : 613-941-7216	<i>D.C. Palamedes</i> 12 Jan 2016		
Director/Directrice Claudette Blair Tel. / Tél. : 613-941-7454	<i>Claudette Blair</i> Jan 12/2016		
Subject/Objet : Minister's Briefing Package for the Audit of the Trade Program: B2 Refunds Action/Mesure : For the Minister's Information BF/AR : January 26, 2016			
<p>This is to request the President's approval of the Minister's Briefing Package for the <i>Audit of the Trade Program: B2 Refunds</i> to allow the posting of the audit report on the external website in February 2016.</p> <p>Please advise Shannon Lenahan, Strategic Advisor, Director General's Office of IAPED, when the President has approved the briefing package so the process for posting the Audit Report can be finalized.</p>			

Canada

JAN 18 2016

Canada Border
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For information

AUDIT OF THE TRADE PROGRAM: B2 REFUNDS

For the Minister

PURPOSE

To inform you that the Audit of the Trade Program: B2 Refunds report (see attachment 1) is scheduled for posting on the external website of the Canada Border Services Agency (CBSA) in February 2016, as required by the Treasury Board Policy on Internal Audit. The report was presented to the Audit Committee on September 22, 2015, and I approved it on November 6, 2015.

ISSUE

The audit objective was to assess the adequacy of the management control framework for B2 refunds to ensure that there are effective mechanisms in place to make eligible and accurate refunds to commercial importers.

BACKGROUND

The CBSA is responsible for administering trade legislation, agreements, and regulations to ensure that duties and taxes owed to the Government are collected. This is usually done on Form B3. While importers are responsible for the accuracy of the trade data for their goods, due to the complexity of the commercial import process, they may make errors in the accounting information reported. If an adjustment is required after duties and taxes have been paid, the *Customs Act* allows for clients to apply for a refund, which must be submitted on Form B2. In 2014–2015, the Agency issued refunds totalling \$140.8 million.

AUDIT FINDINGS

The audit found that:

- Progress has been made towards developing national roles, responsibilities, policies, and procedures. Further refinements are anticipated.
- Practices are in place and under development to improve the risking of refund requests and to verify their eligibility, but opportunities exist for enhancement and coordination.

Canada

- Internal controls could be strengthened by clarifying delegations of authority and improving the segregation of duties.
- Improvements to monitoring and reporting are needed to support the timely oversight of B2 refunds and the identification of issues requiring corrective action.

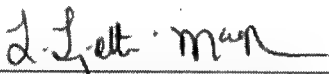
STATUS

CBSA management concurs with the findings and recommendations and has developed management action plans (MAPs). Management commits to implementing a more robust management control framework for the B2 Adjustment Program with a view to streamlining the process. Management will also review the current regional delivery model and ensure that the business requirements are developed and ready for integration into the anticipated automated process. The MAPs are on track to be completed by January 2017.

NEXT STEPS

The report was reviewed in accordance with the requirements of the *Access to Information Act*. The sections exempted from disclosure are highlighted in yellow and will not be published on the CBSA's external website. The report will be posted on the CBSA's external website in February 2016. Media lines have been prepared to address potential enquiries by the media (see attachment 2).

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.

 JAN 1, 2016

Linda Lizotte-MacPherson
President

ATTACHMENTS

1. **Audit of the Trade Program: B2 Refunds – Report**
2. **Audit of the Trade Program: B2 Refunds – Media lines**

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada



Canada Border
Services Agency

CANADA BORDER
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PRESIDENT'S OFFICE
Agence des services
frontaliers du Canada
2016 MAR 17 17:09
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President's Office Time Stamp / Timbre dateur du bureau du président

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2016 MAR 16 16:14

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CBSA/ASFC-16-01128

ROUTING SLIP / BORDEREAU D'ACHEMINEMENT

ACTION REQUIRED/ MESURE REQUISE			
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date	Action	Information
Minister/Ministre The Honourable Ralph Goodale L'honorable Ralph Goodale		<input type="checkbox"/>	<input checked="" type="checkbox"/>
President/Présidente Linda Lizotte-MacPherson	<i>[Signature]</i> MAR 18 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vice-President / Vice-présidente Caroline Weber	<i>CLW w/ small Δ 16 March</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director General/ Directrice générale Dena Palamedes Tel./Tél.: 613-941-7216	<i>D.C. Palamedes</i> 10/3/2016	15 MARS 2016 @ 12:15 MAR 10 2016 @ 1:25	
Director/Directrice Claudette Blair Tel./Tél.: 613-941-7454	<i>[Signature]</i> March 10/2016		
Subject/Objet : Minister's Briefing Package for the <i>Audit of National Targeting</i> Action/Mesure : For the Minister's Information BF/AR : April 2016 <p>This is to request that the President approve the report, as recommended for approval by the Audit Committee on December 15, 2015 and the Minister's Office Briefing Package for the <i>Audit of National Targeting</i> so the audit report can be posted in April 2016.</p> <p>The briefing package has been reviewed by the Programs Branch (Lesley Soper, DG, Enforcement and Intelligence).</p> <p>Please advise the Director General's Office of IAPED when the President has approved the report and the briefing package so that the process for posting the audit report can be finalized.</p>			

MAR 18 2016



Canada Border
Services Agency Agence des services
frontaliers du Canada

PROTECTED B

For information

AUDIT OF NATIONAL TARGETING

For the Minister

PURPOSE

To inform you that the Audit of National Targeting report (see attachment 1) is scheduled for posting on the external website of the Canada Border Services Agency (CBSA) in April 2016, as required by the Treasury Board Policy on Internal Audit. This audit was presented at the December 15, 2015, Audit Committee meeting and subsequently approved by the President.

ISSUE

The audit objective was to assess the adequacy of the management control framework for the Targeting Program. The scope of this audit covered the period from the inception of the National Targeting Centre (i.e. fiscal year 2012–2013) to July 2015.

BACKGROUND

The Targeting Program supports the CBSA mandate by performing pre-arrival risk assessments of traveller, cargo, and conveyance information with the goal of facilitating movement of low-risk cargo and people and identifying those which may pose a threat to the security and safety of Canada. Those identified as a potential threat are referred for verification and examination upon their arrival at a port of entry.

AUDIT FINDINGS

The Targeting Program, as it appears today, is relatively new to the Agency, having been centralized in 2012. Therefore, findings reflect a program that is still maturing. The audit found that there were opportunities to strengthen program governance and risk management at the program level. In addition, effective targets are dependent on the professional discretion and judgement of the targeting officers and the inputs (e.g., advance information, examination results, and training) which inform their judgement. The audit made three recommendations related to:

- improving the governance of the Targeting Program by strengthening oversight, clarifying roles and responsibilities for key areas of the program's management, and finalizing a vision to align efforts towards common goals;
- formalizing the risk-management process for the Targeting Program to ensure that key program and operational risks, which may impede the program from reaching its objectives, are mitigated and monitored; and

PROTECTED B

- establishing a process to assess targeting inputs regularly to ensure they effectively support the targeting process.

STATUS

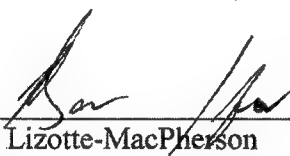
CBSA management concurs with the findings and recommendations and has developed management action plans (MAPs). Management is committed to improving governance and formalizing a risk-management process for the Targeting Program. Management will also implement a robust mechanism to monitor and evaluate targeting inputs to ensure they continue supporting the strategic priorities of the Agency. The MAPs are on track to be completed by December 2016.

NEXT STEPS

The report was reviewed in accordance with the requirements of the *Access to Information Act*. The report will be posted on the CBSA external website in April 2016. The sections exempted from disclosure are highlighted in yellow in the attached report and will not be published on the CBSA's external website.

Public and media interest in this audit is expected to be moderate and a responsive approach is recommended. The CBSA has prepared media lines (see attachment 2) for immediate use by spokespersons and will prepare a comprehensive package of questions and answers in advance of the posting of the audit on the CBSA website. All responses to media will be subject to approval based on established media relations protocols.

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.



Linda Lizotte-MacPherson
President

MAR 18 2016

ATTACHMENTS

1. Report: Audit of National Targeting
2. Media lines: Audit of National Targeting

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada

CANADA BORDER
SERVICES AGENCY
PRESIDENT'S OFFICE

CANADA BORDER
SERVICES AGENCY
PRESIDENT'S OFFICE

President's Office / Timbre dateur du bureau du président

2016 MAR 16 16 : 18

AGENCE DES SERVICES
FRONTALIERS
DU CANADA
BUREAU DU PRÉSIDENT



Canada Border
Services Agency

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CBSA/ASFC-16-01129

ROUTING SLIP / BORDEREAU D'ACHEMINEMENT

		ACTION REQUIRED/ MESURE REQUISE	
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date	Action	Information
Minister/Ministre The Honourable Ralph Goodale L'honorable Ralph Goodale		<input type="checkbox"/>	<input checked="" type="checkbox"/>
President/Présidente Linda Lizotte-MacPherson	<i>[Signature]</i> MAR 16 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vice-President / Vice-présidente Caroline Weber	<i>CW 16 March 16</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director General/ Directrice générale Dena Palamedes Tel. / Tél. : 613-941-7216	<i>D.C. Palamedes</i> <i>10/3/2016</i>	15 MARS 2016 @ 12:15 MAR 10 2016 @ 1:25	
Director/Directrice Claudette Blair Tel. / Tél. : 613-941-7454	<i>[Signature]</i> March 10 2016		
<p>Subject/Objet : Minister's Briefing Package for the Audit of Commercial Rail</p> <p>Action/Mesure : For the Minister's Information</p> <p>BF/AR : April 2016</p> <p>This is to request that the President approve the report, as recommended for approval by the Audit Committee on December 15, 2015, and the Minister's Office Briefing Package for the <i>Audit of Commercial Rail</i> so the audit report can be posted in April 2016.</p> <p>The briefing package has been reviewed by the Programs Branch (Megan Imrie, DG, Commercial Program, (Program Integrity)).</p> <p>Please advise the Director General's Office of IAPED when the President has approved the report and the briefing package so that the process for posting the audit report can be finalized.</p>			

~~Re: [illegible]~~ Small change to memo. Comments lines need modification. CW 16 March.

Canada

MAR 18 2016

Canada Border
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For information

PUBLICATION OF THE AUDIT OF COMMERCIAL RAIL

For the Minister

PURPOSE

To inform you that the Audit of Commercial Rail report (see attachment 1) is scheduled for posting on the external website of the Canada Border Services Agency (CBSA) in April 2016, as required by the Treasury Board Policy on Internal Audit. This audit was presented at the December 15, 2015, Audit Committee meeting and subsequently approved by the President.

ISSUE

The audit objective was to assess the adequacy of the management control framework for the rail program by assessing whether there are effective processes and practices in place to deliver the commercial rail program and whether management has reliable information for decision making.

BACKGROUND

Commercial rail cargo enters Canada through 27 designated rail ports of entry (POEs). In 2011, importations by commercial rail totalled approximately \$85 billion, representing 17% of the total value of traded goods in all modes of transportation. The CBSA is mandated to provide management and oversight of commercial rail importations in a manner that facilitates the movement of compliant commercial goods and the interception of non-compliant goods while maintaining the health, safety, and security of Canadians.

AUDIT FINDINGS

Governance structures, including oversight committees, are in place to monitor the commercial rail program, and risk assessments have identified gaps pertaining to the rail mode.

The
audit makes three recommendations related to:

- strengthening governance practices by establishing a strategic vision, objectives and oversight, and reporting mechanisms for the commercial rail mode;

Canada

PROTECTED B

- prioritizing the highest-risk areas in the commercial rail mode and closely monitoring the progress towards implementation of the resulting management action plans; and
- developing and implementing a comprehensive management control framework for the commercial rail program.

STATUS

CBSA senior management is in agreement with the Audit of Commercial Rail results and accepts the recommendations. Implementation of the management action plans addressing the recommendations will begin with the communication of risk-mitigation strategies and a comprehensive management control framework to the Executive Committee in April 2016, and end with the final phasing in of the control framework by December 2017.

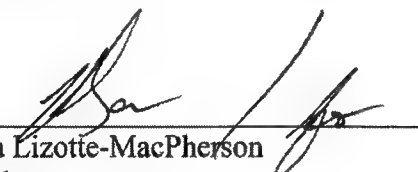
NEXT STEPS

This report was reviewed in accordance with the requirements of the *Access to Information Act*. The sections exempted from disclosure are highlighted in yellow in the attached report and will not be published on the CBSA's external website.

The report will be posted on the CBSA's external website in April 2016.

Public and media interest in this audit is expected to be moderate and a responsive approach is recommended. The CBSA has prepared media lines (see attachment 2) for immediate use by spokespersons and will prepare a comprehensive package of questions and answers in advance of the posting of the audit on the CBSA website. All responses to media will be subject to approval based on established media relations protocols.

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.


Linda Lizotte-MacPherson
President

MAR 18 2016

ATTACHMENTS

1. **Report: Audit of Commercial Rail**
2. **Media lines: Audit of Commercial Rail**

c.c.: Mr. François Guimont, Deputy Minister
Public Safety Canada

close

President's Office time stamp / Timbre dateur du bureau de la présidente



CANADA BORDER SERVICES AGENCY
Canada Border Services Agency
Agence des services frontaliers du Canada
FRONTALIERS DU CANADA

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AGENCE DES SERVICES
FRONTALIERS
DU CANADA

CBSA/ASFC-16-01409

BUREAU DU PRESIDENT / BUREAU D'ACHEMINEMENT

ACTION REQUIRED/ MESURE REQUISE	
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date
Minister/Ministre The Honourable Ralph Goodale L'honorable Ralph Goodale	<i>2</i> APR 07 2016
President/Présidente Linda Lizotte-MacPherson	
Executive Vice-President/ Première vice-présidente Nada Semaan	
Director General/ Directrice générale Dena Palamedes Tel. /Tél. : 613-941-7216	<i>D.C. Palamedes</i> 2016/3/23
A/Director/Directeur int. Erek Barszczewski Tel. /Tél. : 613-941-7212	<i>EB</i> 2016-03-23
Subject/Objet : Briefing Package for the Minister - OAG Report: Detecting and Preventing Fraud in the Citizenship Program / Dossier de présentation pour le Ministre - Rapport du BVG de la détection et la prévention de la fraude dans le programme de citoyenneté Action/Mesure : For information / Pour votre information BF/AR : 2016-04-07 Enclosed is a briefing package for the Minister regarding the OAG's report on Detecting and Preventing Fraud in the Citizenship Program, which is currently in preparation for tabling in Parliament on May 3, 2016. The package includes a briefing note to the Minister and the CBSA management response.	

APR 07 2016



Canada Border
Services Agency Agence des services
frontaliers du Canada

PROTECTED A

For information

OFFICE OF THE AUDITOR GENERAL: DETECTING AND PREVENTING FRAUD IN THE CITIZENSHIP PROGRAM

For the Minister

PURPOSE

To update you on the current status of an audit conducted by the Office of the Auditor General (OAG) entitled *Detecting and Preventing Fraud in the Citizenship Program*.

ISSUE

The Canada Border Services Agency (CBSA) responded to the final draft of the above audit report on March 11, 2016. The draft report concluded that Immigration, Refugees and Citizenship Canada (IRCC) did not effectively detect and prevent Citizenship Program fraud, and makes one recommendation to the CBSA. The Agency discussed and clarified the audit findings and observations with the OAG to ensure that the audit contains a fair representation of the CBSA's activities.

BACKGROUND

The audit examined whether IRCC detected and prevented fraud to ensure that only eligible applicants who met certain requirements were granted citizenship. The audit also assessed whether IRCC obtained accurate, complete and timely information from the CBSA and the Royal Canadian Mounted Police for informed decision making about citizenship applications.

STATUS

The audit engagement is currently in the preparation for tabling phase. As part of the established OAG audit process, the Agency has reviewed in detail the OAG observations and met with the audit team to discuss and clarify the findings. The information is under embargo and therefore the report should not be shared prior to its tabling in Parliament in May 2016. The majority of the findings are addressed to IRCC. The CBSA is implicated in the following finding:

PROTECTED A

- IRCC did not consistently receive important information on criminal charges and potential residency fraud that citizenship officers need to make informed decisions from its partners (the RCMP and the CBSA).


The remaining key audit findings are as follows:

- IRCC did not have a systematic method of identifying and documenting fraud risks, or a rigorous method of managing fraud risks.
- IRCC did not validate that the methods it employed to detect and prevent fraud were working as intended.
- IRCC did not consistently apply some important controls intended to help citizenship officers identify and act on fraud risks.

The report makes one recommendation to the Agency which concerns improvement of information sharing between IRCC and the CBSA so that additional reviews are conducted on citizenship applicants with links to fraud investigations. In response to the audit findings, the CBSA submitted its management response to the OAG in March 2016, which is attached.

NEXT STEPS

The final report will be tabled in Parliament on May 3, 2016. A comprehensive briefing package, including a communications approach will be provided to you by May 3, 2016. We are working in collaboration with officials from IRCC in developing these products to ensure a consistent approach. We would be pleased to brief you or your staff on the details of the audit.

 APR 07 2016
Linda Lizotte-MacPherson
President

ATTACHMENT

1. Audit of Detecting and Preventing Fraud in the Citizenship Program: Management Response

c.c.: Mr. Malcolm Brown, Deputy Minister
Public Safety Canada



**OFFICE OF AUDITOR GENERAL OF CANADA
AUDIT OF DETECTING AND PREVENTING FRAUD IN THE CITIZENSHIP
PROGRAM
MANAGEMENT RESPONSE**

RECOMMENDATION 4

Immigration, Refugees and Citizenship Canada and the Canada Border Services Agency should improve information sharing to ensure that individuals linked to fraud investigations receive additional review to confirm their eligibility for citizenship.

MANAGEMENT RESPONSE (TO BE INCLUDED IN THE REPORT)

Agreed. The Canada Border Services Agency (CBSA) recognizes the need to share relevant information on immigration fraud with Immigration, Refugees and Citizenship Canada (IRCC) in a timely and accurate manner, without creating a negative impact on ongoing investigations, to assist IRCC in identifying individuals who may not be eligible to become Canadian citizens.

The CBSA, will conduct an assessment of the information that is needed by IRCC for *Citizenship Act* eligibility decisions; and the information on immigration fraud that can be provided by the CBSA within the current legislative authorities under the *Immigration and Refugee Protection Act*, given the necessity of protecting the integrity of ongoing investigations, as well as the procedures that are currently in place between the two organizations to share information on immigration fraud.

In addition, the CBSA will develop a process that establishes when and how CBSA officers will be expected to share information on immigration fraud with IRCC.

These measures will be completed by December 2016.

CANADA BORDER
SERVICES AGENCY
PRESIDENT'S OFFICE

President's Office time stamp / Timbre dateur du bureau de la présidente



Canada Border
Services Agency

Agence des services
frontalières du Canada

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AGENCE DES SERVICES
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DU CANADA
BUREAU DU PRÉSIDENT

CBSA/ASFC-16-

ROUTING SLIP / BORDEREAU D'ACHEMINEMENT

		ACTION REQUIRED/ MESURE REQUISE	
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date	Action	Information
President/Présidente Linda Lizotte-MacPherson	2- MAR 22 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vice-President/ Vice-présidente Caroline Weber	CW 27 Jan 2016	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Director General/ Directeur général Robert Mundie Tel. /Tél. : 613-954-1909	<i>w. change</i> 	JAN 25 2016 @ 10:00	
Director/Directeur Dan Proulx Tel. /Tél. : 343-291-6969			
Subject/Objet : Canada Border Services Agency Access to Information Act and Privacy Act Action/Mesure : Designation Orders BF/AR : For approval / Pour approbation 2016-02-19 The purpose of this docket is to obtain the Minister's signature for the Canada Border Services Agency (CBSA) Designation Orders in view of recent changes in the ministry as a result of the federal election. Upon completion of all signatures, the signed Designation Orders can be sent to the ATIP Division at the following address: 333 North River Road, Place Vanier, Tower A, 14 th floor Ottawa, ON K1A 0L8			

MAR 22 2016



Canada Border
Services Agency

Agence des services
frontaliers du Canada

For action

CANADA BORDER SERVICES AGENCY *ACCESS TO INFORMATION ACT* *AND PRIVACY ACT* DESIGNATION ORDERS

For the Minister

PURPOSE

To seek your approval for the Canada Border Services Agency (CBSA) Designation Orders under both sections 73 of the *Access to Information Act* (ATIA) and of the *Privacy Act* (PA).

ISSUE

Designation orders should be reviewed when circumstances surrounding the delegations have changed, including the appointment of a new head of an institution. In view of recent changes in the ministry as a result of the federal election, the Treasury Board of Canada Secretariat (TBS) is recommending that we refresh these important documents.

BACKGROUND

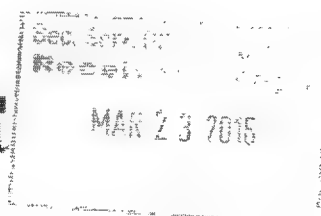
Section 73 of the ATIA and section 73 of the PA authorize the head of a government institution to designate, by order, one or more officers or employees of that institution to exercise any of the powers, duties or functions of the head of the institution that are specified in the order.

Once a designation order is signed, the powers, duties and functions of the head may only be exercised either by the head of the institution or by the delegates. It is important to note that decisions and actions that are not clearly attributed to the head of the institution in the Acts can continue to be performed by anyone in the Agency.

In view of TBS recommendation that authority to disclose personal information under paragraph 8(2)(m) be either retained by the head of the institution or delegated only to the most senior officials of the institution, particular attention was given to limit the delegation of 8(2)(m) for public interest disclosures.

In the case of a complaint or a revision by the Federal Court, it is the person who has made the decision to refuse access to a document who must explain the reasons for that decision. This may require the filing of an affidavit or an appearance before the Commissioner or the Court.

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No. T.D.	6-0600 2968
File No.	600-1
No. Dossier	
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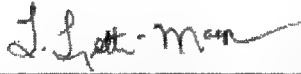
STATUS

The new designation orders will see full delegation under both Acts to the President, Executive Vice-President, Vice-President of the Corporate Affairs Branch, Director General of the Corporate Secretariat and the Access to Information and Privacy (ATIP) Director.

The ATIP Division Managers and Team Leaders are equally delegated under the Acts except they do not have delegation under paragraph 8(2)(m) of the PA. These authorities are delegated to only a limited number of positions within the CBSA to maintain the integrity and consistency of the ATIP program.

RECOMMENDATION

It is recommended that you sign the attached CBSA Designation Orders.


MAR 22 2016
Linda Lizotte-MacPherson
President

Minister's Response

I approve ☒
I do not approve ☐


The Honourable Ralph Goodale, P.C., M.P.

MAY 03 2016

Date:

ATTACHMENTS

1. Designation Order (English)
2. Designation Order (French)



Canada Border Services Agency

Ministerial Order

Minister of Public Safety and Emergency Preparedness

Access to Information Act & Privacy Act (ATIP)

_____, 2016

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Ministerial Order
Access to Information Act & Privacy Act (ATIP)

Pursuant to section 73 of the *Access to Information Act*¹ and section 73 of the *Privacy Act*², I hereby designate the persons holding the positions set out in the schedule hereto, or a person authorized to exercise the powers or perform the duties and functions of that position, to exercise or perform the powers, duties and functions of the Minister of Public Safety and Emergency Preparedness as the head of the Canada Border Services Agency under the provisions of the Act and related regulations set out in the schedule opposite each position.

This Order replaces previous designation orders and comes into force on the date on which it is signed.

Dated at Ottawa, Province of Ontario, this 3rd day of May, 2016.

The Honourable Ralph Goodale, P.C., M.P.
Minister of Public Safety and Emergency Preparedness

¹ R.S.C., 1985, c. A-1

² R.S.C., 1985, c. P-21

Canada

Schedule
Ministerial Order under the Access to Information Act & the Privacy Act

Positions	Access to Information Act and Regulations	Privacy Act and Regulations
President	Full authority	Full authority
Executive Vice-President	Full authority	Full authority
Vice-President, Corporate Affairs Branch	Full authority	Full authority
Director General, Corporate Secretariat	Full authority	Full authority
Director, ATI Privacy Division	Full authority	Full authority
Manager, ATI Privacy Division	Full authority	Full authority (except 8(2)(m))
Team Leader, ATI Privacy Division	Full authority	Full authority (except 8(2)(m))



Agence des services
frontaliers du Canada

Canada Border
Services Agency



Agence des services frontaliers du Canada

Arrêté ministériel

Ministre de la Sécurité publique et de la Protection civile

Loi sur l'accès à l'information & Loi sur la protection des renseignements personnels

le 3 mai, 2016

PROTECTION • SERVICE • INTÉGRITÉ

Canada

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

Arrêté ministériel

Loi sur l'accès à l'information & Loi sur la protection des renseignements personnels

Conformément à l'article 73 de la *Loi sur l'accès à l'information*¹ et à l'article 73 de la *Loi sur la protection des renseignements personnels*², je délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'à toute personne autorisée à exercer les pouvoirs et fonctions de ce poste, les attributions dont le ministre de la Sécurité publique et de la Protection civile est, en qualité de responsable de l'Agence des services frontaliers du Canada, investi par les dispositions de la Loi ou de son règlement mentionnées en regard de chaque poste.

Le présent arrêté remplace les anciens instruments de délégation des pouvoirs et entre en vigueur le jour même où une signature y est apposée.

Fait à Ottawa dans la province de l'Ontario, ce 3 jour du mois de Mai, 2016.

L'honorable Ralph Goodale, C.P., député
Ministre de la Sécurité publique et de la Protection civile

¹ L.R.C. (1985), ch. A-1

² L.R.C. (1985), ch. P-21

Annexe
Arrêté ministériel en vertu de la Loi sur l'accès à l'information &
de la Loi sur la protection des renseignements personnels

Positions	Loi sur l'accès à l'information et Règlements	Loi sur la protection des renseignements personnels et Règlements
Présidente	Autorité absolue	Autorité absolue
Première vice-présidente	Autorité absolue	Autorité absolue
Vice-présidente, Direction générale des services intégrés	Autorité absolue	Autorité absolue
Directeur général, Secrétariat général	Autorité absolue	Autorité absolue
Directeur, Division AIPRP	Autorité absolue	Autorité absolue
Gestionnaire, Division AIPRP	Autorité absolue	Autorité absolue (sauf 8(2)m))
Chef d'équipe, Division AIPRP	Autorité absolue	Autorité absolue (sauf 8(2)m))

President's Office time stamp / Timbre dateur du bureau de la présidente



Canada Border
Services Agency

Agence des services
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CANADA BORDER
SERVICES AGENCY
PRESIDENT'S OFFICE

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AGENCE DES SERVICES
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DU CANADA

ROUTING SLIP / BORDEREAU D'ACHEMINEMENT

CANADA BORDER
SERVICES AGENCY
PRESIDENT'S OFFICE

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AGENCE DES SERVICES
FRONTALIERS
DU CANADA

CBSA/ASFC-16-01212

BUREAU DU PRÉSIDENT

ACTION REQUIRED/ MESURE REQUISE			
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date	Action	Information
President/Présidente Linda Lizotte-MacPherson	<i>L</i> APR 11 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Seman	<i>N</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice-President/ Vice-Présidente Christine Walker	<i>AW</i> 4/8/16	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Vice-President/ Vice-président Maurice Chénier	<i>M. Chénier</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director General/ Directrice générale Lucie Loignon Tel. /Tél. : 343-291-5020	<i>Lucie Loignon</i> MAR 10 2016		
Subject/Objet : Participation in the 2016 Professional Development Week Action/Mesure : For approval / Pour approbation BF/AR : <p>To obtain your approval for participation of Canada Border Services Agency employees in the <i>Open 24/7 – Today's World of IM/IT</i> Professional Development Week learning symposium of the Association of Public Sector Information Professionals, which will take place from May 25 to 27, 2016, at the Shaw Centre in Ottawa, Ontario.</p> <p>The CBSA requests 80 passes for employees to attend the 2016 DPI Professional Development Week annual symposium.</p>			

Canada

View/Prendre en consultation : Bureau des Vice-Présidents
Consultation : Bureau des Vice-Présidents
Bureau des Vice-Présidents : ASFC
Unité d'approbation : Date 10/03/16

APR 11 2016



Canada Border
Services Agency

Agence des services
frontaliers du Canada

For action

**PARTICIPATION IN THE ASSOCIATION OF
PUBLIC SECTOR INFORMATION PROFESSIONALS
2016 PROFESSIONAL DEVELOPMENT WEEK**

For the President

PURPOSE

To obtain your endorsement to seek Ministerial approval for Canada Border Services Agency (CBSA) employees participation in annual three-day learning symposium of the Association of Public Sector Information Professionals (DPI), the theme of which this year is "Open 24/7 – Today's world of IM/IT". As part of DPI's Professional Development Week (PDW), this learning symposium will take place from May 25 to May 27, 2016, at the Shaw Centre in Ottawa.

ISSUE

In accordance with the Directive on Travel, Hospitality, Conference and Event Expenditures (THCEE) issued in August 2013, the learning symposium is considered a conference and therefore requires ministerial approval for departmental costs in excess of \$25,000.

BACKGROUND

The DPI is a volunteer not-for-profit Canadian organization that promotes the development of public sector professionals and the effective application of information management (IM) and information technology (IT) shared best practices in the Government of Canada and other public sector jurisdictions, leading to the improvement of services offered to Canadians. With a variety of keynote speakers and sessions, the learning symposium aims to develop greater personal and corporate insight, determination, agility, and balance, which influence are essential elements in enabling the CBSA to deliver on its mandate. Keeping CBSA Information Science and Technology Branch (ISTB) employees abreast of the latest technologies and techniques of IM/IT

solutions and service delivery is necessary to empower them to deliver high-quality services to Canadians in the fast-evolving world of IM/IT. The CBSA has been participating in this conference since 2006 with as many as 110 employees attending per year.

This annual conference takes place in the National Capital Region (NCR) and continues to be unique in terms of community-building for professional development for IM/IT and business practitioners. The 2016 DPI learning symposium allows participants to share passes, thus benefiting many employees. In order to lower the overall fees, the employees are asked to register as "Affiliates" with DPI, which will reduce the cost by \$100 per pass. The 2016 DPI learning symposium registration fee is about one-third the cost of other similar conferences such as the IBM event and offers excellent value for the money.

STATUS

In collaboration with the Comptrollership Branch, ISTB is coordinating the registration of employees to ensure compliance with the Minister's directive as well as the THCEE directive. Last year demand exceeded the supply of 70 passes received therefore ISTB is proposing 80 passes for 2016. The total learning symposium cost is approximately \$77,404 (passes \$70,060 and travel \$7,344 including taxes). Please refer to attachment 1 for detailed cost.

NEXT STEPS

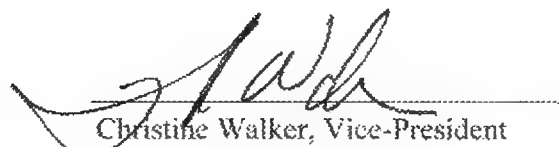
As per the established process, the CBSA is required to prepare a briefing note to the Minister. Once approval is obtained from the Minister, a communique will be sent to employees asking if they would like to attend the conference. Once the employee list is consolidated, the selected employees will be informed and asked to complete their registration as an "Affiliates on the DPI website.

RECOMMENDATION

It is recommended that you approve ISTB employee participation at the 2016 DPI PDW learning symposium.



Maurice Chenier, Vice-President
Information, Science and Technology Branch

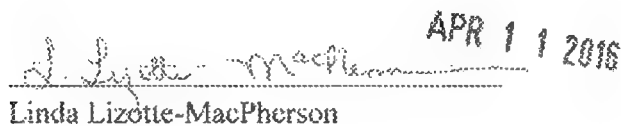


Christine Walker, Vice-President
Comptrollership Branch

President's Response

I approve ☐

I do not approve ☐



APR 11 2016

Linda Lizotte-MacPherson

ATTACHMENT

1. DPI PDW learning symposium on May 25 to May 27, 2016, detailed costs

APR 11 2016



Canada Border
Services Agency

Agence des services
frontaliers du Canada

For action

**PARTICIPATION IN THE ASSOCIATION OF
PUBLIC SECTOR INFORMATION PROFESSIONALS'
2016 PROFESSIONAL DEVELOPMENT WEEK**

For the Minister

PURPOSE

To seek your approval for Canada Border Services Agency (CBSA) employees to participate in the annual three-day learning symposium of the Association of Public Sector Information Professionals (DPI), the theme of which this year is "Open 24/7 – Today's world of IM/IT." As part of the DPI's 2016 Professional Development Week (PDW), this learning symposium will take place from May 25 to May 27, 2016, at the Shaw Centre in Ottawa.

ISSUE

In accordance with the Directive on Travel, Hospitality, Conference and Event Expenditures issued in August 2013, the learning symposium is considered a conference and therefore requires ministerial approval for departmental costs in excess of \$25,000.

BACKGROUND

The DPI is a volunteer not-for-profit Canadian organization that promotes the development of public sector professionals and the effective application of information management (IM) and information technology (IT) shared best practices in the Government of Canada and other public sector jurisdictions, leading to the improvement of services offered to Canadians. With a variety of keynote speakers and sessions, the learning symposium aims to develop greater personal and corporate insight, determination, agility, and balance, which are essential elements in enabling the CBSA to deliver on its mandate. Keeping CBSA employees of the Information Science and Technology Branch abreast of the latest technologies and techniques of IM/IT solutions and service delivery is necessary to empower them to deliver high-quality services to Canadians in the fast-evolving world of IM/IT. The CBSA has been participating in this conference since 2006, with as many as 110 employees attending per year.

Page 1 of 2


This annual learning symposium takes place in the National Capital Region and continues to be unique in terms of community building and professional development for IM/IT and business practitioners. The 2016 DPI learning symposium registration fee is about one-third of the cost of similar conferences, such as the IBM event, and offers excellent value for money.

STATUS

The CBSA is requesting 80 passes for employees to attend the DPI PDW annual learning symposium from May 25 to May 27, 2016. The total learning symposium cost is approximately \$77,404 (passes at \$70,060 and travel at \$7,344, including taxes). Please refer to attachment 1 for detailed costs.

RECOMMENDATION

It is recommended that you approve CBSA employee participation at the 2016 DPI PDW learning symposium.

 APR 11 2016

Linda Lizotte-MacPherson
President

Minister's response

I approve ☐

I do not approve ☐

The Honourable Ralph Goodale, P.C., M.P.

Date

c.c.: Mr. Malcolm Brown, Deputy Minister
Public Safety Canada

ATTACHMENT

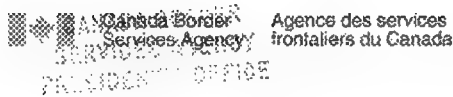
1. DPI PDW learning symposium on May 25 to May 27, 2016, detailed costs

DPI PDW Learning Symposium on May 25 to May 27 Detailed Cost

Description	Amount	Tax	Total
Conference Fee/pass	775.00	100.75	875.75
Travel			
Travel-Parking for 3 days	60.00	-	60.00
Travel - KM (\$0.53/10kmx2trips x3 day)	31.80		31.80
Total Conference Cost/pass	866.80	100.75	967.55
80 Passes	62,000.00	8,060.00	70,060.00
Travel			
80 Travel-Parking	4,800	-	4,800
80 Travel - KM	2,544	-	2,544
Total Conference Cost	69,344.00	8,060.00	77,404.00

DPI PDW Learning Symposium on May 25 to May 27 Detailed Cost

Description	Amount	Tax	Total
Conference Fee/pass	775.00	100.75	875.75
Travel			
Travel-Parking for 3 days	60.00	-	60.00
Travel - KM (\$0.53/10kmx2trips x3 day	31.80		31.80
Total Conference Cost/pass	866.80	100.75	967.55
80 Passes	62,000.00	8,060.00	70,060.00
Travel			
80 Travel-Parking	4,800	-	4,800
80 Travel - KM	2,544	-	2,544
Total Conference Cost	69,344.00	8,060.00	77,404.00



2016 APR 8 11:16

AGENCE DES SERVICES
FRONTIERS
DU CANADA
BUREAU DU PRÉSIDENT

CBSA/ASFC-16-01592

ROUTING SLIP/BORDEREAU D'ACHEMINEMENT

ACTION REQUIRED/ MESURE REQUISE			
Name and Telephone Number/ Nom et numéro de téléphone	Initials and date/ Initiales et date	Action	Information
Minister/Ministre The Honourable Ralph Goodale		<input checked="" type="checkbox"/>	<input type="checkbox"/>
President/Présidente Linda Lizotte-MacPherson	227 APR 11 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice-President/ Vice-présidente Caroline Weber, Corporate Affairs	Clu 8 April,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director General/ Directrice générale Joanne John, Communications Tel./Tél.: 613-946-4875	A/DG Comm ML 6 April 2016		
Executive Director/Directeur exécutif Marc Raider, Communications Tel./Tél.: 613-948-9048			
Director/Directeur Gilles Le Breton, Communications Services Tel./Tél.: 613-946-4873			
A/Manager/Gestionnaire p.i. Ken Allan, Creative Services Tel./Tél.: 613-948-6747			
<p>Subject/Objet: Options for response to the Office of the Privacy Commissioner of Canada's (OPC) Report of Findings on the CBSA's participation in the documentary series <i>Border Security: Canada's Front Line</i>.</p> <p>Action/Mesure: For Approval / Pour approbation</p> <p>BF/AR: 2016-04-22</p> <p>For your approval, please find a Briefing Note which provides options for responding to the OPC's Report of Findings on the CBSA's participation in the television series <i>Border Security: Canada's Front Line</i>.</p> <p>Prepared by: Luc Nadon, 613-941-4677</p>			

No analysis of options / Considerations inadequately developed. Substantial revision required - myofore & so complete.

APR 11 2016



Canada Border
Services Agency Agence des services
frontalières du Canada

For approval

**OPTIONS FOR RESPONSE TO THE OFFICE OF THE PRIVACY COMMISSIONER
OF CANADA'S REPORT ON THE CANADA BORDER SERVICES AGENCY'S (CBSA)
PARTICIPATION IN THE TELEVISION SERIES BORDER SECURITY: CANADA'S
FRONT LINE**

For the Minister

PURPOSE

To provide a synopsis of the Office of the Privacy Commissioner of Canada's (OPC) report on the complaints received under the *Privacy Act* against the CBSA's participation in the television series *Border Security: Canada's Front Line*, and to propose a way forward on responding to the OPC.

ISSUE

On April 1, 2016, the CBSA received the OPC's Report of Findings (the Report - see ANNEX A) in relation to the CBSA's participation in the television series *Border Security: Canada's Front Line*. The OPC has indicated that the CBSA has 30 days to respond as to whether it will accept the recommendations of the report or not. The report will subsequently be released publicly along with the CBSA's response to the recommendations.

BACKGROUND

The OPC received two complaints under the *Privacy Act* against the CBSA regarding its participation in the television series *Border Security: Canada's Front Line*. The Report addresses the complaints received from the British Columbia Civil Liberties Association on behalf of an individual (Mr. Oscar Mata) who was removed as the result of an inland enforcement action in March 2013, and a second complaint from a Canadian citizen who was sent to secondary inspection at a land border crossing. The complaints allege that the CBSA's participation in the television series violates sections 4 (collecting personal information not directly related to operations) and section 8 (disclosure of personal information) of the *Privacy Act* (see ANNEX B).

The OPC provided the CBSA with a Preliminary Report of Findings on June 18, 2015, in order to seek any additional representations in relation to the complaints.

In response to the Preliminary Report, the CBSA stated that while we gave due consideration to the OPC's concerns, the CBSA respectfully disagreed with the views of the OPC on several points, including the argument by the OPC that Force Four was collecting personal information

Page 1 of 4

on behalf of the CBSA. The CBSA also stated its view that the series is an effective tool to communicate the rules associated with its mandate.

However, the OPC is not satisfied that the CBSA has demonstrated that it meets the requirements of the *Privacy Act* in relation to its participation in the television series. In particular, despite the fact that the television show is discussed and consent obtained before filming begins, because the record of verbal consent is filmed, the OPC finds that personal information was disclosed *before* consent was obtained. Accordingly, the OPC finds the complaints to be well-founded.

A few of the OPC's findings are problematic. For example, the OPC finds that CBSA was somehow trying to 'contract out' application of the *Privacy Act* in our participation in the television series, and that we somehow thought we were relieved of our privacy obligations for personal information in our agreement with Force Four (paras 68, 69 and 120 in Mata, and 62, 63 and 103 in [redacted] – neither of which is true. We propose to raise these issues in our response to the Privacy Commissioner.

In light of their findings, the OPC recommends that the CBSA cease its participation in the television series, and that in the future, the CBSA undertake a Privacy Impact Assessment (PIA) before proceeding or embarking on any initiative involving personal information.

It should be noted that the Mata report refers to a complainant who was filmed during the events of March 2013 and never broadcast. Following these events, the CBSA ended Force Four's access to inland enforcement activities, and further excluded Force Four from filming outside of customs controlled areas due to the dynamic and fluid nature of enforcement actions. The footage related to the [redacted] report was broadcast, but [redacted] went directly to Force Four to object. The footage was removed from circulation by Force Four and never aired again following [redacted] intervention with Force Four.

You recently provided CBSA with direction to prepare consultations in advance of making a decision about continued participation in the television series. This approach had been recommended because it is anticipated that whether CBSA continues to participate or not, there will be media coverage, and because the views of citizens are not known.

CBSA has sought the Minister's approval for participation in each year of the television series. Since the recommendation by the Privacy Commissioner is that CBSA should cease participating in the show, we are therefore seeking your approval on a proposed response.

CONSIDERATIONS

The CBSA has the obligation to fulfill its mandate. The CBSA fully respects the privacy of individuals and the protection of personal information, and has never attempted to "contract out" this obligation.

The CBSA has examined and identified ways to significantly improve the consent process in order to ensure valid and meaningful consent is obtained (according to s. 107 of the *Customs Act*), if there is a decision to continue to participate in this show, or in the future.

The requirement to respond to the Privacy Commissioner by early May might render moot your earlier decision to consult with Canadians.

Respecting your earlier decision, two options are presented for your consideration.

Option 1 - Cease Participation in the TV Program *Border Security: Canada's Front Line*:

There is no obligation to proceed with the show. If this option is adopted, the CBSA would respond to the OPC with a letter indicating that the CBSA accepts and will comply with the OPC's recommendation to cease our participation in the show. This response would be consistent with the NGOs who have been critical of CBSA, and might minimize media coverage if there is no public reaction to cancelling the show.

Option 2 - Undertake a Privacy Impact Assessment and Public Consultations:

Notwithstanding the OPC's recommendation, the CBSA could respond to the OPC with a letter indicating that the CBSA would address the OPC's concerns through consultation with the public and measures to strengthen the consent process. This option would include undertaking a Privacy Impact Assessment, as well as the public consultations you had previously approved.

COMMUNICATIONS CONSIDERATIONS

While the views of the Privacy Commissioner and the British Columbia Civil Liberties Association are known, the views of citizens are not as clear. *Border Security* has been an immensely popular Canadian production, and there is a sense that Canadians not only find the show informative, but that it also instills pride. The CIU has sometimes been opposed to the show in the past, but CBSA officers have generally expressed pride in the show.

Litigation has been filed by two people in British Columbia as a result of the television series. Over the next few months, we anticipate that there will be other issues which might engage the views of the Privacy Commissioner and some of the NGOs, such as the tabling of legislation to amend the *Customs Act*, and an Ontario Coroner's inquest into a death in custody.

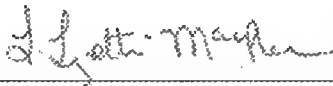
Regardless of our response to these reports and findings by the privacy Commissioner, there will be media coverage. Anticipatory media lines are being prepared for a reactive approach.

NEXT STEPS

Once your direction is received, we will prepare a letter to be signed by the President in response to the letter from the Privacy Commissioner. My officials will communicate your decision to Force Four.

RECOMMENDATION

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.

 APR 1 1 2016

Linda Lizotte-MacPherson
President

Minister's response

I approve the recommended Option 1 ☐
I approve Option 2 ☐
I do not approve either option ☐

The Honourable Ralph Goodale, P.C., M.P.

Date

Attachments: Annex A (OPC Report of Findings)
 Annex B (Sections 4 and 8 of the *Privacy Act*)

President's Office time stamp / Timbre dateur du bureau du président

CANADA BORDER
SERVICES AGENCY
PRESIDENT'S OFFICE



Canada Border
Services Agency
Agence des services
frontaliers du Canada

2016 APR 20 09 59

PROTECTED B / PROTÉGÉ B

AGENCE DES SERVICES
FRONTALIERS
DU CANADA CBSA/ASFC-16-1670
BUREAU DU PRÉSIDENT

ROUTING SLIP / BORDEREAU D'ACHEMINEMENT

ACTION REQUIRED/ MESURE REQUISE			
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date	Action	Information
Minister/Ministre The honourable Ralph Goodale L'honorable Ralph Goodale	2 - APR 22 2016	<input type="checkbox"/>	<input checked="" type="checkbox"/>
President/Présidente Linda Lizotte-MacPerson		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Executive Vice-President/ Première vice-présidente Nada Semaan		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice-President/ Vice-président(e) Martin Bolduc	CSB 19/4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice-President/ Vice-président(e) Caroline Xavier	gc APR 18 2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice-President/ Vice-président(e) Jean-Stéphane Piché	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice-President/ Vice-président(e) Caroline Weber	18 April P. 2 [Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal Services/ Services juridiques Tom Saunders	[Signature] 13/4/2016	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Subject/Objet : Coroner's inquest into the 2014 death of a CBSA detainee in Southern Ontario Region			
Action/Mesure : For approval / Pour approbation			
Please find attached a briefing note to the Minister for information entitled 'Coroner's inquest into the 2014 death of a CBSA detainee in Southern Ontario Region.'			

18 AVR. 2016 11:2

APR 14 2016

RECEIVED

APR 13 2016

ASFC VP/VPD - Direction générale des opérations

Canada

Agence des services frontaliers du Canada

Direction générale des opérations, Bureau du Vice-président

Vice-president Office:
Bureau du Vice-président
Human Resources Branch
Direction des ressources humaines

APR 22 2016



Canada Border
Services Agency

Agence des services
frontaliers du Canada

PROTECTED B

For information

CORONER'S INQUEST INTO THE 2014 DEATH OF A CBSA DETAINEE IN SOUTHERN ONTARIO REGION

For the Minister

PURPOSE

To inform you that during the week of May 2, 2016, a provincial coroner's inquest will convene to examine circumstances surrounding the 2014 death of a Canada Border Services Agency detainee under immigration hold, who was under the care and control of the Ontario Ministry of Community Safety and Correctional Services.

ISSUE

Following the 2014 September death of Mr. Dunn, a CBSA detainee, the Southern Ontario Region (SOR) and Headquarters worked together to document and review the incident. While CBSA employees acted appropriately, some administrative issues were identified and addressed.

A provincial coroner's inquest into the death of Mr. Dunn will commence during the week of May 2, 2016 in Welland, Ontario and is expected to last about five days.

BACKGROUND

On September 18, 2014, Mr. Joseph Charles Todd Dunn, a citizen of the United States (US).

Centre because

Mr. Dunn was detained at the provincial Niagara Detention

PROTECTED B

The Niagara Detention Centre is a facility operated by the Ontario Ministry of Community Safety and Correctional Services (MCSCS) located in Thorold, Ontario, and has a capacity of 260. It holds people on remand (awaiting trial, sentencing, or other proceedings), offenders sentenced to short terms of two years or less, and offenders awaiting transfer to a federal or provincial correctional facility. Pursuant to a CBSA-MCSCS Memorandum of Understanding (MOU), the Niagara Detention Centre is used by the SOR of CBSA primarily for detentions arising from enforcement operations in the St. Catharines, Niagara Falls, and Fort Erie area.

Mr. Dunn remained in critical condition and on life support. On September 27, 2014, Mr. Dunn's passed away at 5:45 p.m that day.

The incident resulted in significant media attention. The CBSA has a protocol, the "Public Communications Protocol -- In Custody Death", which dictates communications procedures when dealing with the death of a detainee while in CBSA custody. The Protocol provides for the communication of the detainee's age and gender but not the release of his/her name. In the case where the death of a detainee occurs in a provincial facility, the CBSA will work closely with provincial counterparts and encourage a joint proactive approach to communicating.

STATUS

The CBSA Southern Ontario Region began a review of the incident right away. It found that Agency employees had appropriately shared information concerning Mr. Dunn with all stakeholders and that they had acted in a professional, respectful, and courteous manner when dealing with Mr. Dunn and his family throughout his time in CBSA's custody.

PROTECTED B

Administrative issues were identified, as some information had not been entered into Agency systems. Employees have been reminded of the need for note-taking and the proper preparation and recording of notes, and shift briefings were re-circulated on this issue. The region has also asked for more training on mental health awareness, including suicide/self-injury prevention, and this is being provided.

The Niagara Regional Police Service conducted an in-custody death investigation and concluded that Mr. Dunn's injuries were not suspected to be the result of foul play.

The Office of the Chief Coroner for Ontario is responsible for conducting a public inquest into Mr. Dunn's death.

The public inquest will be held the week of May 2, 2016 at the Welland County Court House in Welland, Ontario. CBSA has standing at the inquest and it is expected that two CBSA witnesses will testify.

COMMUNICATIONS CONSIDERATIONS

The recent death of two CBSA detainees under the care and control of provincial facilities has received significant media coverage.

An ongoing reactive approach is recommended. The Communications Directorate will heavily monitor the public environment both to detect possible issues and correct any false or misleading third-party statements and will continue to ensure the CBSA's public website contains accurate information.

NEXT STEPS

CBSA has in place a rigorous process for the review of serious injuries or death in custody, as well as a process for responding to inquests by provincial coroners. We will also be updating our communications protocol for deaths in custody. I will keep you apprised of developments on this file. Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.


APR 22 2016
Linda Lizotte-MacPherson
President

President's Office Time Stamp / Timbre dateur du bureau du président



Canada Border
Services Agency

Agence des services
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CANADA BORDER
SERVICES AGENCY
PRESIDENT'S OFFICE

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15 MAY 9 13 : 29

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DU CANADA
BUREAU DU PRÉSIDENT
CBSA/ASEC-16-0872

ROUTING SLIP / BORDEREAU D'ACHEMINEMENT

ACTION REQUIRED/ MESURE REQUISE	
Name and telephone number/ Nom et numéro de téléphone	Initials and date / Initiales et date
President/Président Linda Lizotte-MacPherson	MAY 11 2016
Executive Vice-President/ Première vice-présidente Nada Semaan	
Vice-President/ Vice-présidente Caroline Xavier	GP MAY 09 2016
A/Associate Vice-President/ Vice-président associé, p.i. Denis R. Vinette	
Director General/ Directeur général Andrew LeFrank Tel. /Tél. : 613-948-0215	ALF MAY 04 2016
Director/Directrice Susan Kramer Tel. /Tél. : 613-952-2549	SK MAY 16

Subject/Objet : Request for Canadian Armed Forces Assistance for Irregular Marine Arrivals
Action/Mesure : For approval / Pour approbation
BF/AR : 2016-05-06

The Canada Border Services Agency requires the support of the Canadian Armed Forces should there be another mass marine arrival in Canada.

The enclosed note provides information on this issue and requires your signature on a letter to the Minister, seeking his assistance to obtain Canadian Armed Forces' support from the Minister of National Defence.

Canada Border Services Agency
Operations Branch, V.P.'s Office

MAY 05 2016

26708
Agence des services frontaliers du Canada
Direction générale des opérations, Bureau du V.P.

Canada



Canada Border
Services Agency

Agence des services
frontaliers du Canada

PROTECTED A

For action

REQUEST FOR CANADIAN ARMED FORCES ASSISTANCE FOR IRREGULAR MARINE ARRIVALS

For the President

PURPOSE

To request that you re-sign a letter to the Minister of Public Safety, to seek the assistance of the Canadian Armed Forces in the event of another irregular marine arrival.

ISSUE

In January 2016, you signed the letter (attachment 1). However, the letter was missing an important caveat: the vessel would be moved from the Department of National Defence (DND) jetty (dock) no later than 21 days after its arrival. This stipulation is a non-negotiable part of the agreement between Public Safety and DND, and must be included in your letter as instructed by the Government Operations Center (GOC), who is responsible for the Public Safety's irregular marine arrival portfolio.

BACKGROUND

In response to irregular marine arrivals in Canada, DND agreed to support the Agency and the Royal Canadian Mounted Police (RCMP). The agreement currently requires renewal as the last one expired on December 31, 2015.

Although DND agrees to provide assistance, it is clear on the fact that it is unable to release any jetty for more than 21 days for the next few years because the east and west coast naval bases are being renovated and space is very limited.

When the January 2016 letter was prepared for you, it included the 21 day caveat. However, during the approval process, the 21 day caveat was removed and the wording of the letter was changed. The initial docket was not submitted to the Minister's Office by Public Safety and as a result, a new letter for your signature is required (attachment 2).

PROTECTED A

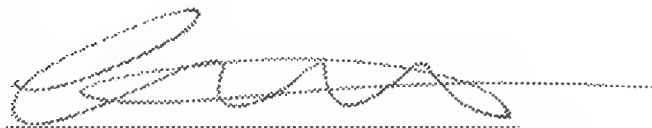
STATUS

As the letter was missing the 21 day caveat, the GOC requested that the Canada Border Services Agency provide a new letter which includes the agreed upon 21 day limit for the use of the DND jetty. Given that we are now in May, DND agreed to a new expiration date of December 31, 2017. This will allow the partner agencies time to negotiate a longer term agreement in the future.

RECOMMENDATION

It is recommended that you sign the amended letter with the 21 day caveat (attachment 2).

The letter must be sent to the GOC, which will then prepare a single letter on behalf of the CBSA and the RCMP for the Minister's signature and prepare the necessary agreement and briefing package.




Caroline Xavier, Vice-President
Operations Branch

MAY 11 2016

President's Response

I approve ☒

I do not approve ☐



Linda Lizotte-MacPherson

MAY 11 2016

ATTACHMENT

1. Briefing note of January 2016 and the President's letter to the Minister of Public Safety
2. New letter from the CBSA President to the Minister of Public Safety



Canada Border
Services Agency

Agence des services
frontaliers du Canada

COPY

PROTECTED A

For action

REQUEST FOR CANADIAN ARMED FORCES ASSISTANCE FOR IRREGULAR MARINE ARRIVALS

For the President

PURPOSE

This note provides information for your approval and for your signature on the attached letter to the Minister of Public Safety. The letter requests the Minister to write to the Minister of National Defence to seek assistance from the Canadian Armed Forces (CAF), should there be another irregular marine arrival.

ISSUE

BACKGROUND

In October 2009 and August 2010, two vessels carrying a total of 568 migrants from Sri Lanka arrived on the west coast of Canada. In response to irregular marine arrivals, the Minister of National Defence agreed to provide CAF support for the CBSA and the Royal Canadian Mounted Police (RCMP). This agreement is renewed every year, and will expire on December 31, 2015.

As with past irregular marine arrivals, the RCMP would intercept and board the vessel at sea prior to it reaching Canadian shores. The CAF would be required to transport CBSA and RCMP officers to the vessel of interest and to provide a jetty that is secure and private. The CBSA would process the migrants immediately upon their disembarkation. Subsection 273.6(2) of the *National Defence Act* states that the Minister of Defence may authorize the CAF to assist in any law enforcement matter at the request of the Minister of Public Safety, when it is in the national interest to do so, and when the matter cannot effectively be addressed without the assistance of the CAF.

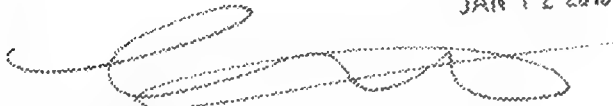
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RECOMMENDATION

Public Safety Canada (PSC) recommends that the CBSA and the RCMP both ask the Minister of Public Safety to write to the Minister of National Defence, addressing the needs of both organizations. As such, the CBSA and the RCMP have respectively drafted letters, which were approved by PSC and the Department of National Defence. Once the letters have been received by the Minister's Office, PSC will draft a single letter addressing both organizations needs and will send it to the Minister of Defence.

It is recommended that you sign the attached letter requesting that the Minister of Public Safety seeks the support of the Minister of National Defence in the event of another irregular marine arrival.

JAN 12 2016

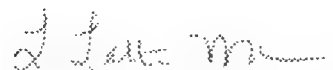


Caroline Xavier, A/Vice-President
Operations Branch

President's Response

I approve ☒

I do not approve ☐



Linda Lizotte-MacPherson

ATTACHMENT(S)

1. Letter to Public Safety Minister Goodale for your signature
2. Approved 2014 briefing note: Request for Canadian Armed Forces Assistance for Irregular Marine Arrivals



Canada Border Services Agency Agence des services
frontaliers du Canada

President Présidente

Ottawa, Canada
K1A 0L8

JAN 20 2016

COPY

The Honourable Ralph Goodale, P.C., M.P.
Minister of Public Safety and Emergency Preparedness
269 Laurier Avenue West
Ottawa, Ontario K1A 0P8

Dear Minister:

I am writing to seek your assistance in obtaining Canadian Armed Forces (CAF) support from the Minister of National Defence, on a department-to-department basis, pursuant to subsection 273.6(2) of the *National Defence Act*.

In 2010, the Minister of National Defence authorized the CAF to provide assistance to the Canada Border Services Agency (CBSA) with respect to the imminent arrival of the MV Sun Sea.

The mandate for responding to this type of incident rests with the CBSA and the Royal Canadian Mounted Police (RCMP).

While developing detailed national and regional operational plans for irregular marine arrivals, the CBSA has identified areas that it does not have the capability to address and for which the use of private entities would not be suitable for reasons of national security and the protection of the identities of the refugee claimants.

In consultation with the RCMP, the CBSA would require support from the CAF to ensure that the Government of Canada is prepared to deal with a vessel approaching Canada. Such support would include the following:

- a temporary berth for the vessel of interest (VOI) at a Department of National Defence (DND) jetty to enable initial CBSA processing of refugee claimants;
- space or buildings, with electrical power, adjacent to the jetty for the initial triage and processing of refugee claimants arriving on the vessel;
- CAF personnel to assist in the maintenance of essential systems on the seized vessel while it is temporarily berthed at the DND jetty;
- operational logistics, communications planning, and support; and
- a mobile crane and gangway (if not available through private contracting).

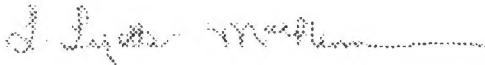
Canada

While this letter is for planning purposes only, I believe the assistance of the CAF is in the national interest and that an incident of this nature requires such support to be managed effectively. During preliminary discussions, officials from the CAF indicated that they are receptive to the CBSA's and the RCMP's requests for assistance subject to the authorization of the Minister of National Defence.

I am requesting your assistance in obtaining CAF support from the Minister of National Defence from the date of approval until December 31, 2016 in order to negotiate a longer term agreement. Please consider the above requests toward managing effectively an irregular marine arrival.

Your support in this matter is greatly appreciated.

Yours sincerely,



Linda Lizotte-MacPherson



Canada Border Services Agency Agence des services
frontalières du Canada
President Présidente
Ottawa, Canada
K1A 0L6

MAY 11 2016

The Honourable Ralph Goodale, P.C., M.P.
Minister of Public Safety and Emergency Preparedness
269 Laurier Avenue West
Ottawa, Ontario K1A 0P8

Dear Minister:

I am writing to seek your assistance in obtaining Canadian Armed Forces (CAF) support from the Minister of National Defence, on a department-to-department basis, pursuant to subsection 273.6(2) of the *National Defence Act*.

In 2010, the Minister of National Defence authorized the CAF to provide assistance to the Canada Border Services Agency (CBSA) with respect to the imminent arrival of the MV Sun Sea.

In developing detailed national and regional operational plans for irregular marine arrivals, the CBSA has identified areas it does not have the capacity to address and for which the use of private entities would not be suitable, for reasons of national security and the protection of the refugee claimants' identities.

In addition to the Royal Canadian Mounted Police (RCMP), the CBSA would require support from the CAF to ensure that the Government of Canada is prepared to deal with a vessel approaching Canada. Such support would include the following:

- a temporary berth for the vessel of interest (VOI) at a Department of National Defence (DND) jetty to enable initial CBSA processing of refugee claimants (the CBSA will coordinate the contracting to move the vessel to a non-DND facility as soon as possible, and this removal will occur no later than 21 days after the arrival of the VOI);
- space or buildings, with electrical power, adjacent to the jetty for initial triage and processing of refugee claimants arriving on the vessel;
- CAF personnel to assist in the maintenance of essential systems on the seized vessel while it is temporarily berthed at the DND jetty;
- operational logistics, communications planning, and support; and
- a mobile crane and gangway (if not available through private contracting).

Canada

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While this letter is for planning purposes only, I believe the assistance of the CAF is in the national interest and that an incident of this nature requires such support to be managed effectively. During preliminary discussions, officials from the CAF indicated that they are receptive to the CBSA's and the RCMP's request for assistance subject to the authorization of the Minister of National Defence. The CBSA has thoroughly investigated the issues governing the move of the VOI from the DND jetty and is confident that it can be accomplished within 21 days, barring unforeseen circumstances.

I am requesting your assistance in obtaining CAF support from the Minister of National Defence from the date of approval until December 31, 2017. Please consider the above requests toward managing effectively an irregular marine arrival.

Your support in this matter is greatly appreciated.

Yours sincerely,



Linda Lizotte-MacPherson